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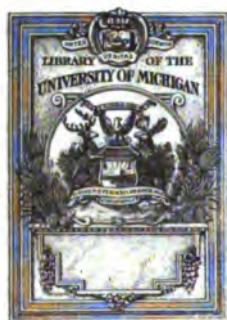
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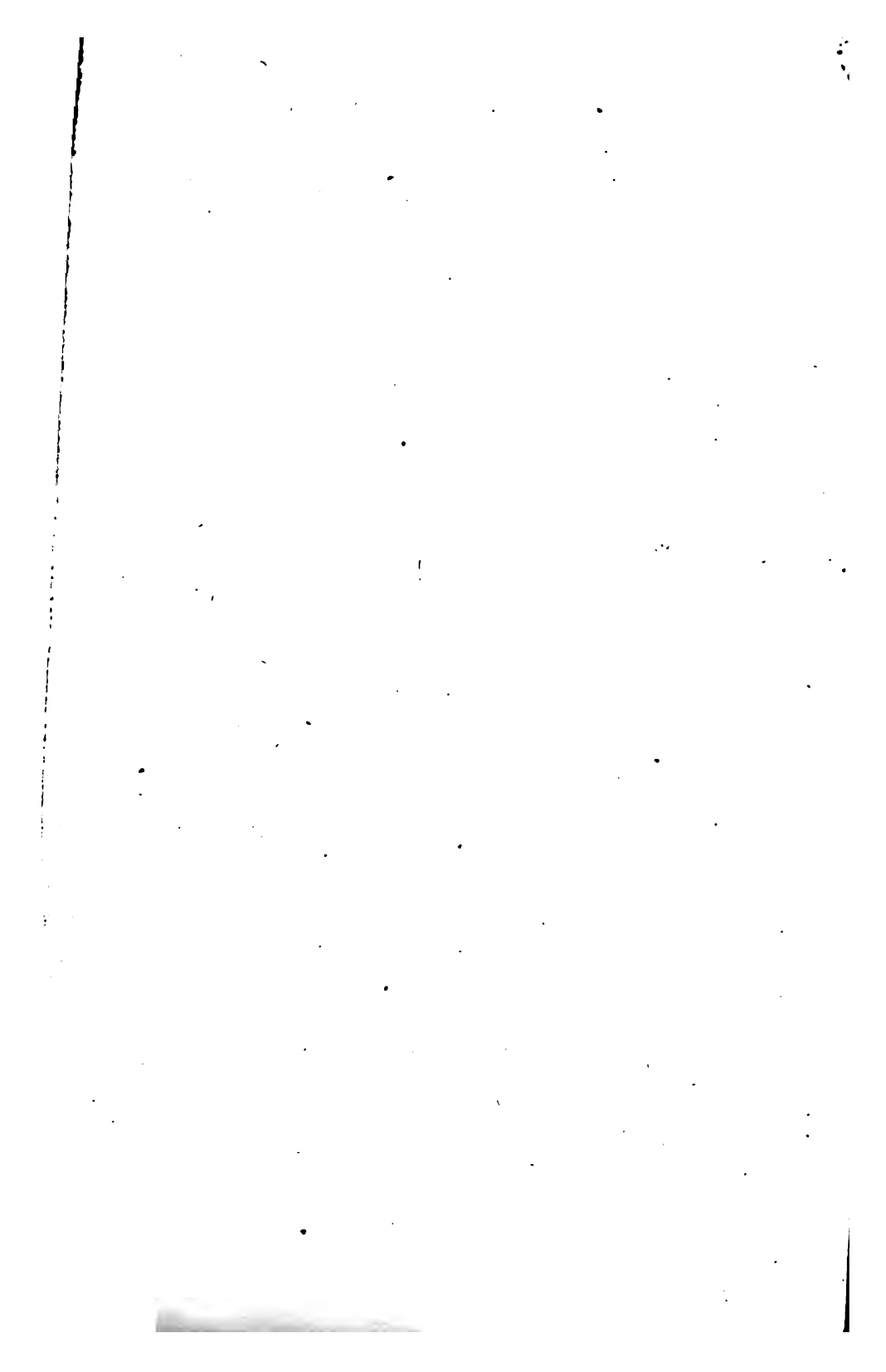
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NATHAN B. HYDE**







T H E
H I S T O R Y
O F
E N G L A N D.

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ILLUSTRATED WITH
MAPS, GENEALOGICAL TABLES, and the HEADS
and MONUMENTS of the KINGS.

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V O L. X.

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MDCCLX.



THE
HISTORY
OF
ENGLAND.

BOOK XXI.

*Containing the third and last part of the reign of
CHARLES I. from the year 1642 to 1648.*

HITHERTO we have seen how the breach between the king and the parliament daily grew wider. The distrust was so great on both sides, that it was hardly possible they should come to an agreement. The king could not doubt, there was a design to deprive him of great part of his authority; and the parliament perceiving the king was not ignorant of this design, could scarce question, he would privately take all possible measures to prevent the execution thereof. But this was not all. The parliament had also reason to fear, the king would not confine himself to the defensive, but under colour of standing upon his guard, would put himself in a condition to attack. Before the accusation of the members of parliament, whilst the resolution of depriving the king of his power was not absolutely taken, and many members were yet wavering; it would not perhaps have been impossible to find expedients for a peace. But by this fatal accusation, and his coming to the house of commons, the king

Extremé distrust betwixt the king and parliament,

Vol. X. A gave

CHAR. I. gave such an advantage to his enemies, who knew but too well how to improve it, that it was no longer practicable for him to recover the confidence of those who till then had preserved some good-will towards him. Before this, the design of divesting the king of his authority was a secret among some of the leaders of the party, who were labouring to accomplish it by degrees, without daring to be too open, so that it was not easy to know perfectly, they had really such a design. But it was not so easy to deceive the king, who was chiefly concerned. He saw, that his authority was gradually undermining, and readily perceived, where this mine would end at last, if suffered to continue. In this perplexity, he found it incumbent on him to take precautions, in order to oppose his enemies: But on the other hand, he was sensible he should make his cause bad, if he fell upon the parliament itself, which was seduced by these able leaders, and thereby set the whole nation against him. This consideration, very likely, induced him to attack in particular the lord Kimbolton with five of the most powerful commoners, imagining they would be sent to the Tower upon his accusation, and then the parliament, as being no longer directed by these men, would be better inclined in his favour. He was not only deceived in his conjecture, but did himself also an irretrievable injury, in that the precaution he would have taken to secure himself from the secret practices of some private persons, passed for a settled design upon the whole parliament. He thereby confirmed the suspicions which were infusing into the people, that he was seeking to render himself absolute, as he had formerly been; and from thence it naturally followed, that therefore it was necessary to put it out of his power to execute that design.

Then it was that this resolution, taken first by some few, was approved by the majority, and endeavoured to be effectually executed, by beginning with the important affair of the militia. For, depriving the king of the power to command the militia, and lodging this power in the hands of persons devoted to the parliament, was properly disarming him entirely. The king's condition growing much worse, he easily perceived, that as his enemies managed, there was no medium for him, between being a slave or rendering himself master. He was unwilling to be a slave, and it was difficult to become master, in his circumstances, and especially, having to deal with very able and watchful enemies. Very probably, in the belief of the impossibility to
free

free himself from his present danger but by a war, he re-
 solved to send the queen into Holland to buy arms and
 ammunition, to retire to York himself, and to try to secure
 Hull, though he coloured his designs with other pretences.
 He saw that the parliament reckoned among the pretended
 malignants, not only such as openly appeared for the king,
 but also those who were for preserving any moderation, and
 that many suffered themselves to be drawn into the same
 plot, out of fear, and because they could not be secure of
 protection, in case they declared against the two houses.
 He thought, therefore, he should chiefly endeavour to render
 himself able to protect those who dared to espouse his cause
 openly. But moreover, as the parliament never ceased to
 infuse suspicions into the people, it was absolutely necessary
 for the king to try to efface these impressions, so prejudicial
 to him. Hence flowed, in all the papers published by him
 concerning the militia, those so frequent expressions of his
 affection for his people, and his attachment to the laws.
 His aim was to shew the nation, that the parliament acted
 directly contrary to law, in usurping an authority which
 belonged not to them. As it was by the very same thing
 that the king had given occasion to the people to be preju-
 diced against him, he hoped, the usurpations of the parlia-
 ment would produce the same effect. But herein he was
 much mistaken. The people were persuaded, that the king,
 without any provocation, had invaded the privileges of the
 subject, during the first fifteen years of his reign, whereas
 if the parliament had in any thing incroached upon the rights
 of the king, it was in maintenance of the nation's liberties,
 and for the revival of the laws.

Though it was hard to prove by unquestionable evidence,
 that the king had formed the project of seizing, at once, the
 Tower of London, Portsmouth, and Hull, there were, how-
 ever, so great signs of it, that it would have been very im-
 prudent in the parliament, not to think of securing those
 places in the present situation of affairs. Sir John Byron
 lieutenant of the Tower was a man devoted to the king.
 The earl of Newcastle had been sent to Hull, under a bor-
 rowed name, and information was given, that he would
 have persuaded the mayor to deliver that place to him. As
 for Portsmouth, the journey the queen was to take thither
 on some pretence, and the meeting of the officers at King-
 ston, were more than sufficient to breed strong suspicions on
 that account. In short, the lord Clarendon freely owns the
 king's designs upon Portsmouth and Hull, tho' he mentions
 not

CHAR.I.
1642.

Rushworth,
IV. p. 564.

T.I. p. 396.

CHAR. I. not the Tower. Had these designs succeeded, the king 1642. would have been master of the three principal forts of the kingdom, with the magazines of the Tower and Hull, and thereby enabled to subdue the parliament. These projects failing, as I have said, the king endeavoured, as well as he could, to stifle them, and make them pass for imaginary. But the two houses judged otherwise of them. Accordingly, the commons never rested till the lieutenancy of the Tower was given to one they could confide in, and Hotham sent to Hull. As for Portsmouth, the parliament not mistrusting Goring the governor, because he was the person that discovered the plot to seduce the army, were contented with sending him sufficient orders, as they thought, for the preservation of the place. From that time, there was no more mention of Portsmouth, for the king found means to gain colonel Goring, who promised to declare for him at a proper time, as he did accordingly.

Annals.
Whitelock.
Ludlow.

Notwithstanding the king's ill success in his secret undertakings, he persisted in his design to free himself by force from the slavery to which it was intended to reduce him, perceiving it would be impossible for him to succeed any other way. To that end, doubtless, he sent the queen to Holland, and having but little money to give her, put into her hands the crown-jewels, which were used in buying arms and ammunition. If the queen's voyage had been only to conduct the princess Mary to the prince her spouse and to drink the waters of the Spa, there would have been no occasion to give her wherewithal to buy arms and ammunition. Very probably therefore the king from that time thought of war, whether it were offensive or defensive only. But his attempt upon Hull, where was a magazine of arms for sixteen thousand men, is a still clearer evidence. The king himself had caused these arms to be brought to Hull, when he had resolved to make war upon Scotland.

Rushworth,
IV. p. 564.

The king's
design upon
Hull.

Rushworth,
IV. p. 565.

Both houses
petition the
king to re-
move the
magazine at
Hull to the
Tower.

When the parliament sent Sir John Hotham down to Hull, the king complained not of it, whether he was apprehensive of being reproached with attempting to secure that place, or to amuse the parliament and hinder them from taking great precautions. Mean while, both houses finding the king at a distance from London, and fearing for Hull on account of the magazine there, petitioned him, to order the magazine to be removed to the Tower of London. The king answered, "He rather expected, that both houses would have given him an account, why a governor and garrison had been placed in Hull without his knowledge, than

" than to be moved to consent for the removal to the Tower
 " of a magazine (which were his own proper goods) upon
 " such general reasons, as gave no satisfaction to his judg-
 " ment: that in short, he would not agree to the removal
 " of these arms, till he knew for what service they were
 " intended: and if any attempt should be made in this
 " matter without his approbation, he should esteem it as
 " the greatest violation of his right." A little after, some
 gentlemen of the county of York petitioned the king, that
 the magazine might not be removed, by reason they con-
 ceived the kingdom, and particularly the north, to be in dan-
 ger. This petition was probably begged, since affairs were
 not yet in such a situation, that private persons should dare
 to present an address to the king, directly contrary to that
 of the parliament, had they not been encouraged thereto.
 It is certain, the king intended to seize Hull with the maga-
 zine. He was desirous to have a place, which would en-
 able him to protect his adherents, and depended upon this
 magazine to arm them in due time. This was the cause
 of his refusing to remove the arms to the Tower, though he
 alledged other reasons. The parliament also, on their part,
 urged for the removal reasons that were not the true ones.
 At last, finding the king would not consent to it, they or-
 dered most of the magazine to be brought to the Tower,
 without asking his approbation any more.

The king and the parliament used all possible endeavours
 to make the people believe, that in all their proceedings,
 they had no other motive than their good and the kingdom's
 advantage. From these protestations it is, that the historians
 take their strongest arguments to demonstrate the innocence
 and sincerity of the party, whose cause they undertake to
 support. But the impartial reader must peruse the mani-
 festoes, and all the papers of that kind with great caution
 for fear of being drawn into error. It is certain, the king
 intended to become master of Hull, that he might not be
 at the parliament's mercy: but it is not so certain, that
 herein his view was only to maintain the constitution of the
 government, that the laws might be punctually executed.
 On the other hand, the parliament had sent Hotham to
 Hull, to hinder the king from seizing the town: but who
 can affirm, that their real aim was to prevent the malignant
 party from making use of it, to establish an arbitrary power
 and enslave the kingdom?

The king's design broke out the 23d of April, when the
 affair of the militia was agitated with great heat on both

CHAR. I.
 1642.

The king's
 answer.

Ibid.

Clarendon,
 T. I. p. 382,

396, &c.

Petition of
 some of the

gentry a-
 gainst re-

moving the
 magazine.

Ibid.

Rushworth,

IV. p. 566.

Part of the
 magazine

removed to
 the Tower

by the par-
 liament.

Clarendon,
 T. I. p. 388

396.

CHAR. I. sides. The day before, he had sent to Hull the duke of 1642. York his second son, with the young elector Palatine his

nephew, under colour of seeing the place, and very likely these two princes had a pretty numerous retinue. Hotham and the mayor received them with all the respect due to

their rank. The princes were entertained the first day by the mayor, and invited to dine with the governor on the morrow being St. George's-day. But the entertainment

was disturbed by an officer, Sir Lewis Dives, who came a little before dinner, and told the governor, that his majesty intended to dine with him, being then within four miles of the town, with a train of above three hundred horse^a. Hotham, surpris'd at this message, consulted with some of his friends^b, and it was resolv'd among them, that a messenger should be dispatched to the king, humbly to beseech him to forbear to come, forasmuch as he could not, without betraying the trust committed to him, set open the gates to so great a guard as he came attended with. The messenger returning with a doubtful answer, and certifying of the king's advance to the town, Hotham drew up the bridge, shut the gates, and commanded the soldiers to stand to their arms round the walls. The king being come to Beverley-gate, call'd for the governor, who appearing on the walls, he commanded him to open the gate. The governor answered, "He was intrusted by the parliament for the securing of the town for his majesty's honour, and the kingdom's use, which he intended by God's help to do; proferring, however, that if his majesty would be pleased to come in with twelve more, he should be welcome, otherwise he could not, without betraying his trust to the state, admit entrance to so great a guard^c." But the king refusing to enter on these terms, repeated several times his command to open the gate, and still received the same answer. Presently after, the duke of York, and the prince elector went out of the town^d and came to the king, who was pleas'd to give the governor one hour more to consider what

^a The lord Clarendon says, that the king came attended with two or three hundred of his servants, and gentlemen of the country, T. I. p. 397.

^b Particularly with Mr. Pelham, member of parliament and alderman of Hull. Rushworth, Tom. IV. p. 567.

^c This is Rushworth's account: See Tom. IV. p. 567, 573. But the lord Clarendon, and Whitelock say nothing

of this offer of Hotham's, but only that he should say, he would not admit him, though with twenty horse only. Indeed it does not seem likely, that the king would have stood upon eight horse, since he offered to come in but with twenty. Clarendon, Tom. I. p. 397. Whitelock, p. 57.

^d But they were not suffer'd to go out, till after some consultation. Rushworth, Tom. IV. p. 568.

what he did. But Hotham persisting in his resolution, the king offered at last to enter with thirty horse only ^c, which was refused. In short, about five in the evening, the king returning to the gate, commanded Hotham once more to open it, and upon his refusal, caused him to be proclaimed traitor by two heralds he had brought with him. This done, he retired to Beverley, where he passed the night. The next morning, he sent a herald to Hotham, to summon him once more to open the gates of Hull, with promise of pardon for what was past, but could not prevail; so that he was forced to return to York.

CHAR. L.
1642.

When it is considered, the king had formed a design to secure Hull from the time he resolved to retire from York, as the lord Clarendon expressly owns, one would imagine, that at least he had contrived proper means to accomplish the undertaking, the success whereof was so very important. But one knows not what to think, when this attempt is seen to be so ill-managed, that it was neither plausible nor likely. The king was not ignorant, that Hotham was member of the house of commons, that the house had chosen him for the government of Hull, as a man they could confide in: that Hotham knew he was to keep the place against the king, however his commission might be worded. And yet, he imagines, that this man will be awed by his presence alone, and not dare to deny him entrance with three hundred horse, besides the train of the two princes already admitted: that he will suffer himself to be deprived of his government, upon the bare scruple of disobeying the king, he who probably was chosen by the commons as one of the least scrupulous. I own, I cannot conceive how the king could be advised to declare himself so openly in attempting to seize Hull, and indeed, from that time, all confidence intirely vanished. It signified nothing to colour this proceeding, and to say, he had no other design than to visit the place and examine the magazine, to know what might be taken for the service of Ireland and for arming the Scots, who were to serve in that country. This was not capable of deceiving the parliament, who saw but too plainly what was the king's design, and of what consequence the execution would have been. There were no fewer papers, messages, answers, replies, about this affair, than about the militia.

Reflections
on this
Event.
T. I. p. 396.

Rushworth,
IV. p. 567,
599.

The king was extremely troubled at this disappointment, and seeing no other way to palliate his proceedings, he re-

A 4

solved

^c Twenty, says Clarendon and Whitelock. Ibid.

CHAR. I. solved expressly to deny, he had ever intended to become master of Hull. By this supposition, he meant to represent

1642.
The king demands justice upon Hotham.
April 24.
Rushworth, IV. p. 567, 569.
Clarendon, T. I. p. 393, &c.

Sir John Hotham's action as a manifest treason, and accordingly demanded an authentic reparation of the parliament. He cited the laws and statutes which placed in the king the care of defending the realm, and the command of the forts and magazines. But he constantly supposed the kingdom to be in a state of tranquility, as it was when these laws were made, which was by no means the case. He pretended, the forts and magazines were his own proper goods; and particularly that of Hull, being purchased with his own money, could not be withheld from him, without rendering his condition worse than that of his meanest subject.

Rushworth, IV. p. 570, 578, &c.

But the parliament did not grant these suppositions. They pretended, that the forts and magazines were committed to the king, as a trust to be employed for the preservation, and not for the destruction of the people, and that the king's claim to the property of the forts and magazines was groundless. It is no wonder, that upon such different principles, the papers should abound on both sides, without producing any great effects. The king however had this advantage, that the parliament could not evidently prove their assertions against him, and that the authority assumed by both houses, was founded only on bare suspicions of the king's ill-designs, which would have rendered it plausible, had they been averr'd. But they did not think proper to wait for demonstrations, to be assured of the king's secret intentions. It was enough to have reasons to suspect him, which to them appeared sufficiently strong to oblige them to take precautions, which might come too late, in case more convincing proofs were expected.

This is the substance of all the papers published on both sides, concerning Hull. As I have already inserted a great many about the militia, I think it convenient to save the reader the pains of perusing those which were published on the present affair, and which run upon the same principles and suppositions so often mentioned.

The king tries to force Hull by Intelligence.
May.
Rushworth, IV. p. 599, 600.

The parliament openly supported Sir John Hotham; so that after many messages, declarations, answers, and replies, the king had no way left to become master of Hull, but by surprise or force. The last of these ways was not very practicable, because he could depend but on a very small number of troops, and had no artillery, arms, or ammunition. It is true, he expected some from Holland, but the time was very uncertain. And therefore he attempted to take

take Hull by correspondence. In the execution of this design, he made use of Mr. Beckwith a gentleman of Beverley, who had a son-in-law, officer in Hull. But this officer discovered the plot to the governor, who was so civil as to send the king word, he might save himself the trouble of carrying on the contrivance, and at the same time sent an express to the parliament. Beckwith retiring to the king at York, the parliament dispatched a messenger to seize and bring him to London: but the messenger was not permitted to execute his orders.

CHAR. I.
1642.

From that time, the king and the parliament prepared for war, it being very easy to foresee, they should at last be forced to it. But as each stood in need of the people to bear the expence, so each used all possible endeavours to gain them, by demonstrating the injustice of the contrary party, and by striving to convince them, that their good was only intended. The parliament pretended, that the malignants, by whom the king suffered himself to be guided, had formed a design to enslave the nation, wherein they could not succeed, but by inflaming the misunderstanding between the king and the parliament, in order to engage them in a civil war, which they hoped would prove successful to the king. This was the parliament's supposition, from whence they inferred, that therefore it was necessary to prevent by good measures the execution of this design, and to put themselves in a posture of defence, in case the king continued to be directed by these malignants.

The king and parliament prepare for war, and strive to gain the people.
Rushworth, IV. p. 613. &c.

The king, on his side, pretended, that the parliament, in feigning to have only in view the good of the kingdom, really meant to alter the constitution of church and state: that they designed to abolish the regal power, or render the king but a shadow, whilst both houses should be possessed of the government. He inferred from this supposition, that he ought to expose himself to the greatest hazards, rather than receive law from his subjects, his conscience and the care of the realm, which God had entrusted him with, not permitting him to suffer the alterations designed to be made in church and state. Whatever secret motives both might have, the reasons they alledged were very plausible, and those who sought only justice, were not a little embarrassed which side to espouse. But the parliament seemed to have a great advantage over the king, in that their party was much more numerous, and the forts and militia in their possession, with plenty of arms and ammunition, whilst the king was wholly unprovided. Nevertheless, the king was not

CHAR.I. not without hopes. He had, as I have said, privately 1642. gained colonel Goring governor of Portsmouth. The queen was now busy in Holland in procuring artillery, arms, ammunition, and several officers of the English troops in the Dutch service. Most of the Yorkshire gentlemen, the largest county in England, were for him, and he did not question, but by their means he should engage the whole country to declare in his favour. With this assistance, he hoped to prevent the parliament, and raise a sufficient number of forces to take Hull, before the parliament should be able to oppose it. He expected also, that when he was master of Hull and Portsmouth, and had received arms from Holland, many, who were still restrained by the fear of wanting protection, would openly take his part. Moreover, he gave private notice to all his friends, that it was time to repair to York, and ordered letters to be sent in his name to such members as adhered to him, to absent themselves from the parliament and retire to York, or to other places where they could be serviceable to him.

The king summons all the gentry of Yorkshire. All these measures could not be taken so privately but the parliament had some information, and therefore the king endeavoured to give them some colour, to hinder his designs from being discovered. After his disappointment at Hull, **Rushworth, IV. p. 615.** he summoned all the Yorkshire tenants in chief, to appear at York the 12th of May.

A committee is sent to York, who stay there in spite of the king. Shortly after, both houses sent a committee to York, under pretence of bringing the king a message about Hull and the militia, but, in reality, to be spies upon his actions. The message was the more disagreeable to him, as after having returned an answer and dismissed the committee, they told him, they had orders to stay at York. Though it was easy for him to see with what view the parliament had sent this committee, he thought not proper to use any violence to drive them from the city. **Rushworth, IV. p. 615. Clarendon, T. I. p. 403. 405.**

The king's proposal to the gentry of Yorkshire. The 12th of May, the gentry of the county being come to York, his majesty made a speech to them, wherein he protested, "That the enjoying of quiet was the chief cause of his coming among them in the North, and not to make that part of the kingdom a seat of war, as malice would make them believe." He added, "that both houses of parliament did, by their messengers, brave him even in York; and that, as his magazine of Hull was going,

[†] Ferdinando lord Fairfax, Sir Hugh Tom. IV. p. 615. To whom the Cholmley, Sir Philip Stapleton, and lord Clarendon adds, the lord Howard of Eskrick, Tom. I. p. 403.

“ going, directly against his will, to be taken from him, CHAR. I.
 “ and the militia to be put in execution against law and his 1642.
 “ consent; and lastly, as Sir John Hotham’s treason was
 “ countenanced, none could blame him for apprehending
 “ danger. Therefore he was resolved to have a guard, in
 “ which he desired their concurrence and assistance.”

The Yorkshire gentry being variously disposed, it was not possible for the hearers of the king’s speech to agree in the same answer. Nay, it is said, some violence was used by the court, to exclude from the debate such as were known to be opposite to the king, and that these were forced to assemble elsewhere. For this reason the king received four different answers to his proposition, two whereof were favourable, and the other two besought him to hearken to the advice of his parliament. The guard however was raised, and the command thereof given to the prince of Wales †.

The king would have also removed the courts of justice from Westminster to York, and even sent a proclamation to the lord-keeper Littleton for that purpose, with orders to publish it. But the parliament having notice of it, forbade him to execute the orders.

Serjeant major-general Skippon being an excellent officer, and the king knowing the parliament designed to employ him, sent for him to attend him at York. But the parliament gave him orders to the contrary, which Skippon obeyed. This doubtless was foreseen by the king, but he was very glad to shew that the parliament desired a war, since they so haughtily contradicted his orders.

As matters stood between the king and the parliament, a war seemed unavoidable, and probably it was determined on both sides. The sole concern was to amuse the public with good or bad reasons, and try to cast the blame on the opposite party. Mean while the king’s two answers of March the 9th and the 20th, not being replied to, the parliament was apprehensive, their silence would produce an ill effect in the minds of the people. Wherefore they took occasion, in answering these two messages, to publish a manifesto, under the name of remonstrance or declaration, the 19th of May. As this manifesto, and the king’s answer, are very proper to inform the reader of the reasons of both parties, or at least of those they alledge to support their cause and vindicate their conduct, I think it necessary to insert these two papers, for fear the abridging them may be an injury to either.

The

† This guard consisted of a troop of about six hundred men, taken from horse, and of a regiment of foot of the militia, Clarendon, T. I. p. 417.

CHAR. I. *The declaration or remonstrance of the lords and commons in parliament assembled, May 19, 1642.*

1642. " THE infinite mercy and providence of the Almighty
 Rushworth, " God hath been abundantly manifested since the be-
 IV. p. 691. " ginning of this parliament, in great variety of protections
 " and blessings, whereby he hath not only delivered us from
 " many wicked plots and designs, which, if they had taken
 " effect, would have brought ruin and destruction upon this
 " kingdom; but out of those attempts hath produced divers
 " evident and remarkable advantages to the furtherance of
 " those services, which we have been desirous to perform to
 " our sovereign lord the king, and to this church and state,
 " in providing for the public peace and prosperity of his
 " majesty, and all his realms, which in the presence of the
 " same all-seeing Deity, we protest to have been, and still
 " to be, the only end of all our counsels and endeavours,
 " wherein we have resolved to continue freed and enlarged
 " from all private aims, personal respects or passions what-
 " soever (1).

REMARK (1.). It may be presumed, there were in both houses, many members who acted with sincerity, and believed, they really served the public in whatever they did against the king. But it is hard to conceive, how both houses, consisting of so many members, who were ignorant of one another's inward sentiments, could call God to witness, that they acted only by just motives, free from passion and private views.

" In which resolution we are nothing discouraged, al-
 " though the heads of the malignant party, disappointed
 " of that prey, the religion and liberty of this kingdom,
 " which they were ready to seize upon and devour before
 " the beginning of this parliament, have still persisted, by
 " new practices, both of force and subtilty, to recover the
 " same again; for which purpose they have made several at-
 " tempts for the bringing up of the army; they afterwards
 " projected the false accusation of the lord Kimbolton and
 " the five members of the house of commons, which being
 " in itself of an odious nature, they yet so far prevailed with
 " his majesty, as to procure him to take it upon himself;
 " but when the unchangeable duty and faithfulness of the
 " parliament could not be wrought upon by such a fact as
 " that, to withdraw any part of their reverence and obedi-
 " ence from his majesty, they have, with much art and in-
 " dustry, advised his majesty, to suffer divers unjust scandals
 and

“ and imputations upon the parliament, to be published in **CHAR. I.**
 “ his name, whereby they might make it odious to the peo- 1642.
 “ ple, and by their help to destroy that which hath hitherto
 “ been the only means of their own preservation. } ”

“ For this purpose, they have drawn his majesty into the
 “ northern parts, far from the parliament, that so false ru-
 “ mours might have time to get credit, and the just defences
 “ of the parliament find a more tedious, difficult, and dis-
 “ advantageous access, after those false imputations and slan-
 “ ders had been first rooted in the apprehension of his ma-
 “ jesty, and his subjects; which the more speedily to effect,
 “ they have caused a press to be transported to York, from
 “ whence several papers and writings of that kind are con-
 “ veyed to all parts of the kingdom, without the authority
 “ of the great seal, in an unusual and illegal manner, and
 “ without the advice of his majesty’s privy-council; from
 “ the greater and better part whereof having withdrawn
 “ himself, as well as from his great council of parliament,
 “ he is thereby exposed to the wicked and unfaithful coun-
 “ sels of such as have made the wisdom and justice of the
 “ parliament dangerous to themselves; and this danger they
 “ labour to prevent, by hiding their own guilt under the
 “ name and shadow of the king, insinuating into him their
 “ own fears, and as much as in them lies, aspersing his royal
 “ person and honour with their own infamy, from both
 “ which it hath always been as much the care, as it is the
 “ duty, of the parliament, to preserve his majesty, and fix
 “ the guilt of all evil actions and counsels, upon those who
 “ have been the authors of them.

“ Amongst divers writings of this kind, we the lords and
 “ commons in parliament, have taken into our considera-
 “ tion two printed papers; the first containing a declara-
 “ tion, which they received from his majesty, in answer of
 “ that which was presented to his majesty from both houses
 “ of parliament at Newmarket, the 9th of March 1641.
 “ The other, his majesty’s answer to the petition of both
 “ houses, presented to his majesty at York, the 26th of
 “ March 1642, both which are filled with harsh censures,
 “ and causeless charges upon the parliament; concerning
 “ which, we hold it necessary to give satisfaction to the
 “ kingdom, seeing we find it very difficult to satisfy his ma-
 “ jesty, whom, to our great grief, we have found to be so
 “ engaged to, and possessed by those misapprehensions,
 “ which evil counsellors have wrought in him, that our
 “ most humble and faithful remonstrances have rather irri-
 “ tated

CHAR.I. " been done by himself, wherein we should neither follow
 1642. " the direction of the law, nor the affection of our own
 " hearts, which is, as much as may be, to clear his ma-
 " jesty from all imputation of mis-government, and to lay
 " the fault upon his ministers; the false accusing of six
 " members of parliament; the justifying of master attorney
 " in that false accusation; the violent coming to the house
 " of commons; the denial of the militia; the sharp messa-
 " ges to both houses, contrary to the customs of former
 " kings; the long and remote absence of his majesty from
 " parliament; the heavy and wrongful taxes upon both
 " houses; the cherishing and countenancing a discontented
 " party in the kingdom against them: these certainly are
 " the fruits of very ill counsel, apt to put the kingdom in-
 " to a combustion, to hinder the supplies of Ireland, and
 " to countenance the proceedings and pretensions of the
 " rebels there; and the authors of those evil counsels, we
 " conceive, must needs be known to his majesty. And we
 " hope our labouring with his majesty to have these disco-
 " vered and brought to a just censure, will not so much
 " wound his honour, in the opinion of his good subjects,
 " as his labouring to preserve and conceal them.

" And whereas his majesty saith, he could wish that his
 " own immediate actions, which he avows on his own ho-
 " nour, might not be so roughly censured under that com-
 " mon stile of evil counsellors: we could also heartily wish,
 " that we had not cause to make that stile so common: but
 " how often and undutiful soever these wicked counsellors
 " fix their dishonour upon the king, by making his majesty
 " the author of those evil actions, which are the effects of
 " their own evil counsels, we his majesty's loyal and duti-
 " ful subjects can use no other stile, according to that
 " maxim in the law, *The king can do no wrong*; but if any
 " ill be committed in matter of state, the council; if in
 " matter of justice, the judges must answer for it.

" We lay no charge upon his majesty, which should put
 " him upon that apology, concerning his faithful and zea-
 " lous affection of the protestant profession: neither doth
 " his majesty endeavour to clear those in greatest authority
 " about him, by whom (we say) that design hath been po-
 " tently carried on for divers years; and we rather wish,
 " that the mercies of heaven, than the judgments, may
 " be manifested upon them; but that there hath been such,
 " there are so plentiful and frequent evidences, that we be-
 " lieve there is none, either protestant or papist, who hath
 " but

“ had any reasonable view of the passages of latter times, CHAR. I.
 “ but either in fear or hope, did expect a sudden issue of this 1642.
 “ design.

“ We have no way transgressed against the act of obli-
 “ vion, by remembering the intended war against Scotland,
 “ as a branch of that design to alter religion, by those
 “ wicked counsels, from which God did then deliver us,
 “ which we ought never to forget.

“ That the rebellion in Ireland was framed and cherished
 “ by the popish and malignant party in England, is not
 “ only affirmed by the rebels, but may be cleared by many
 “ other proofs : the same rebellious principles of pretended
 “ religion, the same politic ends, are apparent in both, and
 “ their malicious designs and practices are masked and dis-
 “ guised with the same false colour, of their earnest zeal to
 “ vindicate his majesty’s prerogative from the supposed op-
 “ pression of the parliament. How much these treacherous
 “ pretences have been countenanced by some evil counsel
 “ about his majesty, may appear in this, That the procla-
 “ mation whereby they were declared traitors, was so long
 “ with-held as to the 2d of January, though the rebellion
 “ broke forth in October before, and then no more but
 “ forty copies appointed to be printed, with a special com-
 “ mand from his majesty not to exceed that number ; and
 “ that none of them should be published, till his majesty’s
 “ pleasure was further signified, as by the warrant appears,
 “ a true copy whereof is hereunto added, so that few only
 “ could take notice of it ; which was made more observ-
 “ able, by the late contrary proceedings against the Scots,
 “ who were in a very quick and sharp manner proclaimed ;
 “ and those proclamations forthwith dispersed, with as much
 “ diligence as might be, through all the kingdom, and or-
 “ dered to be read in all churches, accompanied with public
 “ prayers and execrations.

“ Another evidence of favour and countenance to the
 “ rebels, in some of power about his majesty, is this, That
 “ they have put forth in his name a causeless complaint
 “ against the parliament, which speaketh the same lan-
 “ guage of the parliament which the rebels do, whereby
 “ to raise a belief in mens minds, that his majesty’s affec-
 “ tions are alienated, as well as his person is removed from
 “ that great council ; all which doth exceedingly retard the
 “ supplies of Ireland, and more advance the proceedings of
 “ the rebels, than any jealousy or misapprehension, begot-
 “ ten in his subjects, by the declaration of the rebels in-

CHAR. I. 1642. "junctions of Rosetti, or information of Trifram Whitecomb; so that, considering the present state and temper of both kingdoms, his royal presence is far more necessary here than it can be in Ireland, for redemption or protection of his subjects there.

"And whether there be any cause of his majesty's great indignation, for being reproached to have intended force or threatening to the parliament, we desire them to consider, who shall read our declaration, in which there is no word tending to any such reproach; and certainly we have been more tender of his majesty's honour in this point, than he, whosoever he was, that did write this declaration, where, in his majesty's name, he doth call God to witness, he never had any such thought, or knew of any such resolution of bringing up the army; which truly will seem strange to those, who shall read the deposition of Mr. Goring, the information of Mr. Percy, and divers other examinations of Mr. Wilmot, Mr. Pollard, and others; the other examinations of captain Legg, Sir Jacob Ashley, Sir John Coniers; and consider the condition and nature of the petition which was sent unto Sir Jacob Ashley, under the approbation C. R. which his majesty doth now acknowledge to be his own hand; and being full of scandal to the parliament, might have proved dangerous to the whole kingdom, if the army should have interposed betwixt the king and them, as was desired.

"We do not affirm, that his majesty's warrant was granted for the passage of Mr. Jermin, after the desire of both houses for restraint of his servants, but only that he did pass over, after that restraint, by virtue of such a warrant. We know the warrant bears date the day before our desire; yet it seems strange to those who know how great respect and power Mr. Jermin had in court, that he should begin his journey in such haste, and in apparel so unfit for travel, as a black fatten suit, and white boots, if his going away were designed the day before.

"The accusation of the lord Kimbolton, and the five members of the house of commons, is called a breach of privilege; and truly so it was, and a very high one, far above any satisfaction that hath been yet given: how can it be said to be largely satisfied, so long as his majesty laboured to preserve master attorney from punishment, who was the visible actor in it; so long as his majesty
"hath

" hath not only justified him, but by his letters declared, CHAR. I.
 " that it was his duty to accuse them, and that he would 1642.
 " have punished him, if he had not done it; so long as
 " those members have not the means of clearing their in-
 " nocency, and the authors of that malicious charge un-
 " discovered, though both houses of parliament have several
 " times petitioned his majesty to discover them, and that
 " not only upon grounds of common justice, but by act
 " of parliament, his majesty is bound to do it; so long as
 " the king refuses to pass a bill for their discharge, alledg-
 " ing, That the narrative in that bill is against his honour,
 " whereby he seems still to avow the matter of that false
 " and scandalous accusation, though he deserts the profe-
 " cution, offering to pass a bill for their acquittal; yet with
 " intimation, that they must desert the avowing their own
 " innocency, which would more wound them in honour,
 " than secure them in law.

" And in vindication of this great privilege of parlia-
 " ment, we do not know that we have invaded any pri-
 " vilege belonging to his majesty, as is alledged in this de-
 " claration.

" But we look not upon this only in the notion of a
 " breach of privilege, which might be, though the accusa-
 " tion were true or false, but under the notion of a hein-
 " ous crime in the attorney, and all other subjects who had
 " a hand in it; a crime against the law of nature, against
 " the rules of justice, that innocent men should be charged
 " with so great an offence as treason, in the face of the
 " highest judicatory of the kingdom, whereby their lives
 " and estates, their blood and honour, are endangered,
 " without witness, without evidence, without all possibi-
 " lity of reparation in a legal course, yet a crime of such a
 " nature, that his majesty's command can no more war-
 " rant, than it can any other acts of injustice. It is true,
 " that those things which are evil in their own nature, such
 " as false testimony, or false accusation, cannot be the sub-
 " ject of any command, or induce any obligation of obedi-
 " ence upon any man, by any authority whatsoever; there-
 " fore the attorney in this case was bound to refuse to exe-
 " cute such a command, unless he had some such evidence
 " or testimony, as might have warranted him against the
 " parties, and be liable to make satisfaction if it should
 " prove false; and it is sufficiently known to every man,
 " and adjudged in parliament, That the king can be neither
 " the relator, informer, or witness. If it rest as it is,
 " without

CHAR. I. " without further satisfaction, no future parliament can be
 1642. " safe, but that the members may be taken and destroyed
 " at pleasure; yea the very principles of government and
 " justice will be in danger to be dissolved.

" We do not conceive, that numbers do make an assem-
 " bly unlawful, but when either the end or manner of their
 " carriage shall be unlawful. Divers just occasions might
 " draw the citizens to Westminster, where many public
 " and private petitions, and other causes, were depending
 " in parliament; and why that should be found more faulty
 " in the citizens, than the resort of great numbers every
 " day in the term to the ordinary courts of justice, we
 " know not. That those citizens were notoriously pro-
 " voked and assaulted at Westminster, by colonel Lunsford,
 " captain Hide, with divers others, and by some of the
 " servants of the archbishop of York, is sufficiently proved;
 " and that afterward they were more violently wounded,
 " and most barbarously mangled with swords, by the offi-
 " cers and soldiers near Whitehall, many of them being
 " without weapons, and giving no cause of distaste, as is
 " likewise proved by several testimonies; but of any scan-
 " dalous or seditious misdemeanours of theirs, that might
 " give his majesty good cause to suppose his own person, or
 " those of his royal consort, or children, to be in apparent
 " danger, we have had no proof ever offered to either house;
 " and if there had been any complaint of that kind, it is no
 " doubt the houses would have been as forward to join in
 " an order for the suppressing such tumults, as they were not
 " long before upon another occasion, when they made an
 " order to that purpose. Whereas those officers and sol-
 " diers, which committed that violence upon so many of
 " the citizens at Whitehall, were cherished and fostered in
 " his majesty's house: and when, not long after, the com-
 " mon-council of London presented a petition to his ma-
 " jesty, for reparation of those injuries; his majesty's an-
 " swer was, (without hearing the proof of the complainants)
 " that if any citizen were wounded or ill-treated, his ma-
 " jesty was confidently assured, that it happened by their
 " own evil and corrupt demeanours.

" We hope it cannot be thought contrary to the duty
 " and wisdom of a parliament, if many concurring, and
 " frequently reiterated and renewed advertisements from
 " Rome, Venice, Paris, and other parts; if the sollicita-
 " tions of the pope's nuncio, and our own discontented fu-
 " gitives, do make us jealous and watchful for the safety of
 " the

“ the state. And we have been very careful to make our CHAR. I.
 “ expressions thereof so easy and so plain to the capacity and 1642.
 “ understanding of the people, that nothing might justly
 “ stick with them, with reflection upon the person of his
 “ Majesty. Wherein we appeal to the judgment of any
 “ indifferent person, who shall read and peruse our own
 “ words. We must maintain the ground of our fears to be
 “ of that moment, that we cannot discharge the trust and
 “ duty which lies upon us, unless we do apply ourselves to
 “ the use of those means which the law hath enabled us in
 “ cases of this nature, for the necessary defence of the
 “ kingdom; and as his majesty doth graciously declare, the
 “ law shall be the measure of his power; so do we most
 “ heartily profess, that we shall always make it the rule of
 “ our obedience.

Prudent omissions in the king's answer.

“ The next point of our declaration was with much cau-
 “ tion artificially passed over by him who drew his majesty's
 “ answer, it being indeed the foundation of all our misery,
 “ and his majesty's trouble, that he is pleased to hear ge-
 “ neral taxes upon his parliament, without any particular
 “ charge to which they may give satisfaction, and that he
 “ hath often conceived displeasure against particular persons
 “ upon misinformation; and although those informations
 “ have been clearly proved to be false, yet he would never
 “ bring the accusers to question, which layeth an impossi-
 “ bility upon honest men of clearing themselves, and gives
 “ encouragement unto false and unworthy persons to trou-
 “ ble with untrue and groundless informations; three parti-
 “ culars we mentioned in our declaration, which the penner
 “ of that answer had good cause to omit; the words sup-
 “ posed to be spoken at Kensington; the pretended articles
 “ against the queen; and the groundless accusation of the
 “ six members of parliament, there being nothing to be
 “ said in defence or denial of any of them.

“ Concerning his majesty's desire to join with his parlia-
 “ ment, and with his faithful subjects, in defence of reli-
 “ gion, and public good of the kingdom; we doubt not
 “ but he will do it fully, when evil counsellors shall be re-
 “ moved from about him; and until that be, as we have
 “ showed before of words, so must we also say of laws,
 “ that they cannot secure us; witness the petition of right,
 “ which was followed with such an inundation of illegal
 “ taxes, that we had just cause to think, that the payment
 “ of eight hundred and twenty thousand pounds was an

CHAR. I. " easy burthen to the commonwealth, in exchange or
 1642. " them; and we cannot but justly think, that if there be
 " a continuance of such ill counsellors, and favour to them,
 " they will by some wicked device or other, make the bill
 " for the triennial parliament, and those other excellent
 " laws mentioned in his majesty's declaration, of less value
 " than words.

" That excellent bill for the continuance of this parlia-
 " ment was so necessary, that without it, we could not
 " have raised so great sums of money for the service of his
 " majesty and the commonwealth as we have done, and
 " without which the ruin and destruction of the kingdom
 " must needs have followed. And we are resolved, the
 " gracious favour of his Majesty expressed in that bill, and
 " the advantage and security which thereby we have from
 " being dissolved, shall not encourage us to do any thing,
 " which otherwise had not been fit to have been done.
 " And we are ready to make it good before all the world,
 " that although his majesty hath passed many bills very
 " advantageous for the subject, yet in none of them have
 " we bereaved his majesty of any just, necessary, or profit-
 " able prerogative of the crown. We so earnestly desire
 " his majesty's return to London, for that upon it, we con-
 " ceive, depends the very safety and being of both his king-
 " doms: and therefore we must protest, that as for the
 " time past, neither the government of London, nor any
 " laws of the land, have lost their life and force for his se-
 " curity; so for the future, we shall be ready to do or say,
 " any thing that may stand with the duty or honour of a
 " parliament, which may raise a mutual confidence betwixt
 " his majesty and us, as we do wish, and as the affairs of
 " the kingdom do require.

" Thus far the answer to that which is called his ma-
 " jesty's declaration, hath led us. Now we come to that
 " which is intitled, *His majesty's answer to the petition of both*
 " *houses, presented to him at York the 26th of March 1642.*
 " In the beginning whereof his majesty wisheth, that our
 " privileges on all parts were so stated, that this way of
 " correspondence might be preserved with that freedom
 " which hath been used of old. We know nothing intro-
 " duced by us that gives any impediment hereunto; neither
 " have we affirmed our privileges to be broken, when his
 " majesty denies us any thing, or gives us a reason why he
 " cannot grant it, or that those who advised such denial,
 " were enemies to the peace of the kingdom, and favour-

" era

ers of the Irish rebellion, in which aspersions, that is CHAR. I.
1642.
 turned into a general assertion, which in our votes is applied to a particular case; wherefore we must maintain our votes, that those who advise his majesty to contradict that which both houses, in the question concerning the militia, had declared to be law and command, it should not be obeyed, is a high breach of privilege; and that those who advised his majesty to absent himself from his parliament, are enemies to the peace of the kingdom, and justly to be suspected to be favourers of the rebellion in Ireland. The reasons of both are evident, because in the first there is as great a derogation from the trust and authority of parliament; and in the second, as much advantage to the proceedings and hopes of the rebels as may be: and we hold it a very causeless imputation upon the parliament, that we have herein any way impeached, much less taken away, the freedom of his majesty's vote, which doth not import a liberty for his majesty to deny any thing, how necessary soever, for the preservation of the kingdom, much less a licence to evil counsellors, to advise any thing, though never so destructive to his majesty and his people. (2.)

REM. (2.) I do not think it was ever decided to what acts the king may, or may not, deny his assent. So there arises an inexhaustible fountain of disputes, when the king and parliament do not agree.

By the message of the 20th of January, his majesty did propound to both houses of parliament, that they would with all speed fall into a serious consideration of all those particulars, which they thought necessary, as well for the upholding and maintaining his majesty's just and regal authority, and for the settling his revenue, as for the present and future establishing our privileges, the free and quiet enjoying our estates, the liberties of our persons, the security of the true religion professed in the church of England, and the settling of ceremonies in such a manner as may take away all just offence, and digest it into one entire body.

To that point of upholding and maintaining his royal authority, we say, nothing hath been done to the prejudice of it, that should require any new provision: to the other of settling the revenue, the parliament hath no way abridged or disordered his just revenue; but it is true that much waste and confusion of his majesty's estate hath been made by those evil and unfaithful ministers,

CHAR. I. "whom he hath employed in the managing of it, whereby
 1642. "his own ordinary expences would have been disappointed,
 "and the safety of the kingdom more endangered, if the
 "parliament had not in some measure provided for his
 "household, and for some of the forts, more than they
 "were bound to do; and they are still willing to settle such
 "a revenue upon his majesty, as may make him live roy-
 "ally, plentifully, and safely; but they cannot in wisdom
 "and fidelity to the common-wealth do this, till he shall
 "choose such counsellors and officers as may order and dis-
 "pose it to the public good, and not apply it to the ruin
 "and destruction of his people, as heretofore it hath been.
 "But this and the other matters concerning ourselves, be-
 "ing works of great importance, and full of intricacy, will
 "require so long a time of deliberation, that the kingdom
 "might be ruined before we should effect them. Where-
 "fore we thought it necessary, first to be suiters to his ma-
 "jesty, so to order the militia, that the kingdom being se-
 "cured, we might with more ease and safety apply our-
 "selves to debate of that message wherein we have been
 "interrupted by his majesty's denial of the ordinance con-
 "cerning the same, because it would have been in vain for
 "us to labour in other things, and in the mean time to
 "leave ourselves naked to the malice of so many enemies
 "both at home and abroad; yet we have not been altoge-
 "ther negligent of those things which his majesty is pleased
 "to propound in that message: we have agreed upon a
 "book of rates in a larger proportion than hath been grant-
 "ed to any of his majesty's predecessors, which is a con-
 "siderable support of his majesty's public charge; and
 "have likewise prepared divers propositions and bills for
 "preservation of our religion and liberties, which we in-
 "tend shortly to present to his majesty, and to do whatso-
 "ever is fit for us to make up this unpleasant breach be-
 "twixt his majesty and his parliament.

"Whereas divers exceptions are here taken concerning
 "the militia; first, that his majesty never denied the thing,
 "but accepted the persons (except for corporations) only
 "that he denied the way. To which we answer, that that
 "exception takes off London, and all other great towns
 "and cities, which makes a great part of the kingdom;
 "and for the way of ordinance it is ancient, more speedy,
 "more easily alterable, and in all these and other respects,
 "more proper and more applicable to the present occasion,
 "than a bill which his majesty calls the only good old way
 "of

“ of imposing upon the subjects. It should seem that nei- CHAR. I.
 “ ther his majesty’s royal predecessors, nor our ancestors 1642.
 “ have heretofore been of that opinion; 37 Ed. 3. we find
 “ this record, *The chancellor made declaration of the challenge*
 “ *of the parliament; the king desires to know the griefs of his*
 “ *subjects, and to redress enormities. The last day of the par-*
 “ *liament, the king demanded of the whole estates, whether they*
 “ *would have such things as they agreed on, by way of ordinance*
 “ *or statute? who answered, by way of ordinance; for that*
 “ *they might amend the same at their pleasure, and so it was.*

“ But his majesty objects further, that there is somewhat
 “ in the preface, to which he could not consent with justice
 “ to his honour and innocence, and that thereby he is ex-
 “ cluded from any power in the disposing of it. These
 “ objections may seem somewhat, but indeed will appear
 “ nothing, when it shall be considered, that nothing in the
 “ preamble lays any charge upon his majesty, or in the
 “ body of the ordinance, that excludes his royal authority
 “ in the disposing or execution of it: but only it is pro-
 “ vided, that it should be signified by both houses of par-
 “ liament, as that channel through which it will be best
 “ derived, and most certainly to those ends for which it is
 “ intended, and let all the world judge, whether we have
 “ not reason to insist upon it, that the strength of the king-
 “ dom should rather be ordered according to the direction
 “ or advice of the great council of the land, equally in-
 “ trusted by the king, and by the kingdom, than that the
 “ safety of the king, parliament, and kingdom, should be
 “ left at the devotion of a few unknown counsellors, many
 “ of them not intrusted at all by the king in any public
 “ way, and not at all confided in by the kingdom.

“ We wish the danger were not imminent, or not still
 “ continuing, but cannot conceive, that the long time spent
 “ in this debate is evidence sufficient that there was no such
 “ necessity or danger, but a bill might easily have been pre-
 “ pared; for when many causes do concur to the danger of
 “ a state, the interruption of any one may hinder the
 “ execution of the rest, and yet the design be still kept on
 “ foot for better opportunities. Who knows whether the
 “ ill success of the rebels in Ireland had not hindered the
 “ insurrection of the papists here? whether the preservation
 “ of the six members of the parliament falsely accused,
 “ hath not prevented that plot of the breaking the neck
 “ of the parliament, of which we were informed from
 “ France, not long before they were accused? yet since his
 “ majesty

CHAR. I. "majesty hath been pleased to express his pleasure rather
 1642. "for a bill than an ordinance, and that he sent in one for
 "that purpose, we readily entertained it, and with some
 "small and necessary alterations, speedily passed the same:
 "but, contrary to the custom of parliament, and our expectations grounded upon his majesty's own invitation of us
 "to that way, and the other reasons manifested in our declaration concerning the militia of the 5th of May, instead
 "of his royal assent, we met with an absolute refusal.

"If the matter of these our votes of the 15th and 16th
 "of March, be according to law, we hope his majesty will
 "allow the subjects to be bound by them, because he hath
 "said, he will make the law the rule of his power; and if
 "the question be, whether that be law which the lords and
 "commons have once declared to be so, who shall be the
 "judge? not his majesty; for the king judgeth not of
 "matters of law, but by his courts; and his courts, though
 "sitting by his authority, expect not his assent in matters
 "of law: nor any other courts, for they cannot judge in
 "that case, because they are inferior; no appeal lying to
 "them from parliament, the judgment whereof is, in the
 "eye of the law, the king's judgment in his highest court;
 "though the king in his person be neither present nor assenting thereunto. (3.)

REM. (3.) I observed elsewhere, the defect of this reasoning, which is a mere fallacy, grounded upon the equivocal word parliament. For under colour, that in a certain sense, the two houses alone are called the parliament, they assume here to themselves the rights belonging solely to the parliament composed of king, lords, and commons.

"The votes at which his majesty takes exceptions, are these:

"*That the king's absence so far remote from the parliament, is not only an obstruction, but may be a destruction to the affairs of Ireland.*

"*That when the lords and commons shall declare what the law of the land is, to have this not only questioned and controverted, but contradicted, and a command that it should not be obeyed, is a high breach of the privilege of parliament.*

"*That those persons that advised his majesty to absent himself from the parliament, are enemies to the peace of the kingdom, and justly may be suspected to be favourers of the rebellion in Ireland.*

"*That the kingdom hath been of late, and still is, in so imminent danger, both from enemies abroad, and a popish and*
 "discon-

“discontented party at home, that there is an urgent and in- CHAR. I.
 “evitable necessity of putting his majesty’s subjects into a posture. 1642.
 “of defence, for the safeguard both of his majesty and his
 “people.

“That the lords and commons fully apprehending this danger,
 “and being sensible of their own duty, to provide a suitable
 “prevention, have in several petitions addressed themselves to
 “his majesty, for the ordering and disposing of the militia of
 “the kingdom, in such a way as was agreed upon by the wis-
 “dom of both houses, to be most effectual and proper for the
 “present exigents of the kingdom, yet could not obtain it; but
 “his majesty did several times refuse to give his royal assent
 “thereunto.

“That in this case of extreme danger, and his majesty’s re-
 “fusal, the ordinance of parliament agreed upon by both houses
 “for the militia, doth oblige the people, and ought to be obeyed
 “by the fundamental laws of this kingdom.

“By all which it doth appear, that there is no colour
 “that by this tax we go about to introduce a new law,
 “much less to exercise an arbitrary power, but indeed to
 “prevent it; for this law is as old as the kingdom, that the
 “kingdom must not be without a means to preserve itself;
 “which that it may be done without confusion, this nation
 “hath intrusted certain hands with a power to provide, in
 “an orderly and regular way, for the good and safety of
 “the whole; which power, by the constitution of this
 “kingdom, is in his majesty and in his parliament together.
 “Yet since the prince, being but one person, is more sub-
 “ject to accidents of nature and chance, whereby the com-
 “monwealth may be deprived of the fruit of that trust
 “which was in part reposed in him; in cases of such ne-
 “cessity, that the kingdom may not be enforced presently
 “to return to its first principles, and every man left to do
 “what is right in his own eyes, without either guide or
 “rule, the wisdom of this state hath intrusted the houses of
 “parliament with a power to supply what shall be wanting
 “on the part of the prince; as is evident by the constant
 “custom and practice thereof in cases of nonage, natural
 “disability, and captivity; and the like reason doth and
 “must hold for the exercise of the same power in such cases,
 “where the royal trust cannot be, or is not discharged, and
 “that the kingdom runs an evident or imminent danger
 “thereby; which danger having been declared by the lords
 “and commons in parliament, there needs not the autho-
 “rity

CHAR. I. " rity of any person or court to affirm; nor is it in the power
1642. " of any person or court to revoke that judgment. (4.)

REM. (4.) All these reasonings of both houses are founded upon the supposition of an imminent danger. When they come to give proofs of the reality of this danger, they alledge only suspicions, whereof they explain the causes. After which they affirm the danger to be real, because they have declared it so, and because there is no superior authority to contradict their judgment. But this declaration does not make the danger real, if it be not so indeed. It is easy therefore to perceive, by their way of proceeding, that they are embarrassed by this article.

" We know the king hath ways enough in his ordinary courts of justice to punish such seditious pamphlets and sermons, as are any ways prejudicial to his rights, honour and authority; and if any of them have been so insolently violated and vilified, his majesty's own council and officers have been to blame, and not the parliament. We never did restrain any proceedings of this kind in other courts, nor refuse any fit complaint to us. The *Protestation protested* was referred by the commons house to a committee, and the author being not produced, the printer was committed to prison, and the book voted by that committee to be burnt; but sir Edward Deering, who was to make that report of the votes of that committee, neglected to make it. The *Apprentices Protestation* was never complained of; but the other seditious pamphlet (*To your Tents, O Israel*) was once questioned, and the full prosecution of it was not interrupted by any fault of either house, whose forwardness to do his majesty all right therein, may plainly appear, in that a committee of lords and commons were purposely appointed to take such informations as the king's council should present, concerning seditious words, practices, or tumults, pamphlets or sermons, tending to the derogation of his majesty's rights or prerogative; and his council were enjoined by that committee to enquire and present them; who several times met thereupon, and received this answer and declaration from the king's council, *That they knew of no such thing as yet.*

" If his majesty had used the service of such a one in penning this answer, who understood the laws and government of this kingdom, he would not have thought it legally in his power to deny his parliament a guard, when they stood in need of it, since every ordinary court
" hath

" hath it; neither would his majesty, if he had been well CHAR. I.
1642.
 " informed of the laws, have refused such a guard as they
 " desired, it being in the power of inferior courts to com-
 " mand their own guard; neither would he have imposed
 " upon them such a guard, under a commander which they
 " could not confide in; which is clearly against the privi-
 " leges of parliament, and of which they found very dan-
 " gerous effects, and therefore desired to have it discharged.
 " But such a guard, and so commanded, as the houses of
 " parliament desired, they could never obtain of his ma-
 " jesty; and the placing of a guard about them, contrary
 " to their desire, was not to grant a guard to them, but in
 " effect, to set one upon them. All which considered;
 " we believe in the judgments of any indifferent persons, it
 " will not be thought strange, if there were a more than
 " ordinary resort of people at Westminster, of such as came
 " willingly of their own accord to be witnesses and helpers
 " of the safety of them, whom all his majesty's good sub-
 " jects are bound to defend from violence and danger; or
 " that such a concourse as this, they carrying themselves
 " quietly and peaceably (as they did) ought, in his majesty's
 " apprehension, or can, in the interpretation of the law,
 " be held tumultuary and seditious.

" When his majesty, in that question of violation of the
 " laws, had expressed the observation of them indefinitely,
 " without any limitation of time, although we never said
 " or thought any thing that might look like a reproach to
 " his majesty, yet we had reason to remember that it had
 " been otherwise, lest we should seem to desert our former
 " complaints and proceedings thereupon, as his majesty doth
 " seem but little to like or approve of them; for although
 " he doth acknowledge here, that great mischief that grew
 " by that arbitrary power then complained of, yet such are
 " continually preferred and countenanced as were friends
 " or favourers, or related unto the chief authors and actors
 " of that arbitrary power, and of those false colours, sug-
 " gestions of imminent danger and necessity, whereby they
 " did make it plausible unto his majesty. And on the other
 " side, such as did appear against them, are daily discour-
 " tenanced and disgraced; which, whilst it shall be so, we
 " have no reason to judge the disease to be yet killed and
 " dead at root, and therefore no reason to bury it in obli-
 " vion. And whilst we behold the spawes of those mis-
 " chievous principles cherished and fostered in that new
 " generation of counsellors, friends and abettors of the for-
 " mer

CHAR. I. "mer, or at least, concurring with them in their malign-
 1642. "nancy against the proceedings of the parliament, we
 cannot think ourselves secure from the like or a worse
 danger.

"And here the penner of this answer bestows an admonition upon the parliament, bidding us take heed we fall not upon the same error, upon the same suggestions. But might have well spared this, till he could have shewed wherein we had exercised any power, otherwise than by the rule of the law, or could have found a more authentic or higher judge in matters of law, than the high court of parliament.

"It is declared in his majesty's name, that he is resolved to keep the rule himself, and to his power to require the same of all others. We must needs acknowledge, that such a resolution is like to bring much happiness and blessing to his majesty, and all his kingdom; yet with humility we must confess, we have not the fruit of it, in that case of my lord Kimbolton, and the other five members, accused contrary to law, both common law and the statute law, and yet remain unsatisfied; which case was remembered in our declaration, as a strange and unheard of violation of our laws. But the penner of this answer thought fit to pass it over, hoping that many would read his majesty's answer, (which hath been so carefully dispersed) which would not read our declaration.

"Whereas after our ample thanks and acknowledgement of his majesty's favour in passing many good bills, we said, that truth and necessity enforced us to add this, that in or about the time of passing those bills, some design or other hath been on foot, which, if it had taken effect, would not only have deprived us of the fruit of those bills, but would have reduced us to a worse condition of confusion, than that wherein the parliament found us. It is now told us, that the king must be most sensible of what we cast upon him, for requital of those good bills; whereas, out of their usual tenderness of his majesty's honour, we did not mention him at all: but so injurious are those wicked counsellors to the name and honour of their master and sovereign, that, as much as they can, they lay their own infamy and guilt upon his shoulders.

"Here God is also called to witness his majesty's upright intentions at the passing of those laws; this we will not question, neither did we give any occasion for
 "such

“such a solemn asseveration as this is. The devil is like-
 “wise desied to prove, there was any design with his ma-
 “jesty’s knowledge or privity. This might well have been
 “spared, for we spoke nothing of his majesty: but since we
 “are so far taxed, as to have it affirmed, that we laid a
 “notorious and false imputation upon his majesty, we have
 “thought it necessary, for the just defence of our own in-
 “nocency, to cause the oaths and examinations which had
 “been taken concerning the design, to be published in a
 “full narration, for satisfaction of all his majesty’s subjects;
 “out of which we shall now offer some few particulars,
 “whereby the world may judge, whether we could have
 “proceeded with more tenderness towards his majesty than
 “we have done. Mr. Goring confesseth, that the king
 “first asked him, whether he was engaged in any cabal
 “concerning the army? and commanded him to join with
 “Mr. Percy and Mr. Jermin, and some others, whom they
 “should find within at Mr. Percy’s chamber; where they
 “took the oath of secrecy, and then debated of a design
 “propounded by Mr. Jermin, to secure the Tower, and
 “to confider of bringing up the army to London, and cap-
 “tain Legg confessed, he had received the draught of a
 “petition in the king’s presence; and his majesty acknow-
 “ledged it was from his own hand: and whosoever reads
 “the sum of that petition, as it was proved by the testi-
 “mony of Sir Jacob Astly, Sir John Coniers, and captain
 “Legg, will easily perceive some points in it, apt to beget
 “in them some discontent against the parliament. And
 “can any man believe, there was no design in the accusa-
 “tion of the lord Kimbolton, and the rest, in which his
 “majesty doth avow himself to be both a commander and
 “an actor? these things being so, it will easily appear to
 “be as much against the rule of prudence, that the penner
 “of this answer should entangle his majesty in this un-
 “necessary apology; as it is against the rules of justice,
 “that any reparation from us should be either yielded or
 “demanded.

“It is professed in his majesty’s name, that he is truly
 “sensible of the burdens of his people, which makes us
 “hope, that he will take that course which will be most
 “effectual to ease them of these burdens; that is, to join
 “with his parliament in preserving the peace of the king-
 “dom; which by his absence from them hath been much
 “endangered, and which, by hindering the voluntary ad-
 “venturers for the recovery of *Ireland*, and disabling the
 “subjects

CHAR. I. " subjects to discharge the great tax laid upon them, is like
 1642. " to make the war much more heavy to the kingdom. And
 " for his majesty's wants, the parliament hath been no cause
 " of them; we have not diminished his just revenue, but
 " have much eased his public charge, and somewhat his
 " private. And we shall be ready, in a parliamentary way,
 " to settle his revenue, in such an honourable proportion,
 " as may be answerable to both, when he shall put himself
 " into such a posture of government, that his subjects may
 " be secure to enjoy his just protection for their religion,
 " laws, and liberties.

" We never refused his majesty's gracious offer of a free
 " and general pardon, only we said it could be no security
 " to our present fears and jealousies: and we gave a rea-
 " son for it, that those fears did not arise out of any guilt of
 " our own actions, but out of the evil designs and attempts
 " of others; and we leave it to the world to judge, whether
 " we herein have deserved so heavy a tax and exclamation,
 " (*That it was a strange world, when princes proffered favours*
 " *are counted reproaches*; such are the words of his majesty's
 " answer) who do esteem that offer as an act of princely
 " grace and bounty, which, since this parliament began,
 " we have humbly desired we might obtain, and do still
 " hold it necessary and advantageous for the generality of
 " the subjects, upon whom these taxes and subsidies lie
 " heaviest; but we see, upon every occasion, how unhappy
 " we are in his majesty's misapprehensions of our words and
 " actions.

" We are fully of the king's mind, as it is here declared,
 " that he may rest so secure of the affections of his sub-
 " jects, that he should not stand in need of foreign force to
 " preserve him from oppression, and are confident, that he
 " shall never want an abundant evidence of the good wishes
 " and assistance of his whole kingdom, especially if he shall
 " be pleased to hold to that gracious resolution, of building
 " upon that sure foundation, the law of the land: but
 " why his majesty should take it ill, that we having re-
 " ceived information so deeply concerning the safety of the
 " kingdom, should think them fit to be considered of, we
 " cannot conceive; for although the name of the person
 " was unknown, yet that which was more substantial to
 " the probability of the report was known (that is) that
 " he was servant to the lord Digby, who in his presump-
 " tuous letters to the queen's majesty, and other letters to
 " Sir Lewis Dives, had intimated some wicked proposition,
 " suitable

“ suitable to that information ; but that this should require CHAR. I.
 “ reparation, we hold it as far from justice as it is from 1642.
 “ truth, that we have mixed any malice with these rumours, }
 “ thereby to feed the fears and jealousies of the people.

“ It is affirmed, his majesty is driven (but not by us yet)
 “ from us; perchance hereafter, if there be opportunity
 “ of gaining more credit, there will not be wanting who
 “ will suggest unto his majesty, that it is done by us. And
 “ if his majesty were driven from us, we hope it was not
 “ by his own fears, but by the fears of the lord Digby,
 “ and his retinue of Cavaliers (5); and that no fears of
 “ any tumultuary violence but of their just punishment for
 “ their manifold insolence, and intended violence against
 “ the parliament.

REM. (5). By the lord Digby's cavaliers were meant the officers and gentlemen who assembled at Whitehall, to guard the king, in the head of whom was the lord Digby. I do not believe, that when this declaration was published, the term Cavaliers was commonly used to denote the royal party. Perhaps this word, used here by the parliament, was the occasion of calling the king's party Cavaliers, as the parliament's adherents were named Round-heads. These two names were afterwards changed into Tories and Whigs.

“ And this is expressed by the lord Digby himself, when
 “ he told those cavaliers, that the principal cause of his ma-
 “ jesty's going out of town, was to save them from being
 “ trampled in the dirt; but of his majesty's person there
 “ was no cause of fear in the greatest heat of his people's
 “ indignation, after the accusation, and his majesty's vio-
 “ lence coming to the house; there was no shew of any evil
 “ intention against his regal person, of which there can be
 “ no better evidence than this, that he came the next day
 “ without a guard into the city, where he heard nothing
 “ but prayers and petitions, no threatnings nor irreverent
 “ speeches, that might give him any just occasion of fear,
 “ that we have heard of, or that his majesty expressed: for
 “ he staid near a week after at Whitehall, in a secure and
 “ peaceable condition, whereby we are induced to believe,
 “ that there is no difficulty or doubt at all, but his majesty's
 “ residence near London, may be as safe as in any part of
 “ the kingdom. We are most assured of the faithfulness
 “ of the city and suburbs; and for ourselves, we shall
 “ quicken the vigour of the laws, the industry of the ma-
 “ gistrates, the authority of the parliament, for the sup-
 “ pressing of all tumultuary insolence, whatsoever, and for
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“ the vindicating of his honour from all insupportable and insolent scandals, if any such shall be found to be raised upon him, as are mentioned in this answer; and therefore we think it altogether unnecessary, and exceeding inconvenient, to adjourn the parliament to any other place.

“ Where the desire of a good understanding betwixt the king and the parliament, is on both parts so earnest, as is here professed by his majesty, to be in him, and we have sufficiently testified to be in ourselves, it seems strange we should be so long asunder, it can be nothing else but evil and malicious counsel, misrepresenting our carriage to him, and indisposing his favour to us: and as it shall be far from us, to take any advantage of his majesty's supposed straits, as to desire, much less to compel, him to that which his honour or interest may render unpleasant and grievous to him; so we hope, that his majesty will not make his own understanding or reason the rule of his government, but will suffer himself to be assisted with a wise and prudent council, that may deal faithfully betwixt him and his people; and that he will remember, that his resolutions do concern kingdoms, and therefore ought not to be moulded by his own, much less by any other private person, which is not alike proportionable to so great a trust. And therefore we still desire and hope, that his majesty will not be guided by his own understanding, or think those courses, straits, and necessities, to which he shall be advised by the wisdom of both houses of parliament, which are the eyes in this politic body, whereby his majesty is, by the constitution of this kingdom, to discern the differences of those things which concern the public peace and safety thereof.

“ We have given his majesty no cause to say, that we do meanly value the discharge of his public duty. Whatsoever acts of grace or justice have been done, they proceed from his majesty by the advice and counsel of his parliament; yet we have, and shall always answer them with constant gratitude, obedience, and affection: And although many things have been done since this parliament, of another nature, yet we shall not cease to desire the continued protection of almighty God upon his majesty; and most humbly petition him, to cast from him all those evil and contrary counsels, which have, in many particulars formerly mentioned, much detracted from the honour of his government, the happiness of his own estate, and prosperity of his people.

“ And

“ And having passed so many dangers from abroad, so many conspiracies at home, and brought on the public work so far, through the greatest difficulties that ever stood in opposition to a parliament, to such a degree of success, that nothing seems to be left in our way, able to hinder the full accomplishment of our desires and endeavours of the public good; unless God in his justice do send such a grievous curse upon us, as to turn the strength of the kingdom against itself, and to effect that by their own folly and credulity, which the power and subtilty of their and our enemies could not attain, that is, to divide the people from the parliament, and to make them serviceable to the ends and aims of those who would destroy them. Therefore we desire the kingdom to take notice of this last and most desperate and mischievous plot of the malignant party, that is acted and prosecuted in many parts of the kingdom, under plausible notions of stirring them up to a care of preserving the king's prerogative, maintaining the discipline of the church, upholding and continuing the reverence and solemnity of God's service, and encouraging of learning. And upon these grounds, divers mutinous petitions have been framed in London, Kent, and other counties, and sundry of his majesty's subjects have been solicited to declare themselves for the king against the parliament; and many false and foul aspersions have been cast upon our proceedings, as if we had been not only negligent, but averse in these points: whereas we desire nothing more, than to maintain the purity and power of religion, and to honour the king in all his just prerogatives; and for encouragement and advancement of piety and learning, we have very earnestly endeavoured, and still do, to the utmost of our power, that all parishes may have learned, pious, and sufficient preachers, and all such preachers competent livings. (6.)

REM. (6.) The king complained, that the church of England was going to be destroyed to make way for presbytery. The parliament dares not say the contrary, for fear of discouraging the presbyterians, nor own it, because it was not yet time to discover themselves so openly. They endeavour therefore to get off, by general terms, which signify nothing, that is, they have resolved to place in every parish pious ministers, and provide for their subsistence.

“ Many other bills and propositions are in preparation for the king's profit and honour, the people's safety and
C 2 “ prosperity:

CHAR. I. " prosperity : in the proceedings wereof we are much hinders by his majesty's absence from the parliament, which is altogether contrary to the use of his predecessors, and the privileges of parliament, whereby our time is consumed by a multitude of unnecessary messages, and our innocency wounded by causeless and sharp invectives. Yet we doubt not, but we shall overcome all this at last, if the people suffer not themselves to be deluded with false and specious shews, and so drawn to betray us to their own undoing, who have ever been willing to hazard the undoing of ourselves, that they might not be betrayed by our neglect of the trust reposed in us : but if it were possible they should prevail herein, yet we would not fail, through God's grace, still to persist in our duties, and to look beyond our own lives, estates, and advantages, as those who think nothing worth the enjoying, without the liberty, peace, and safety of the kingdom ; nor any thing too good to be hazarded in discharge of our consciences, for the obtaining of it : and shall always repose ourselves upon the protection of almighty God, which we are confident shall never be wanting to us, (while we seek his glory) as we have found it hitherto wonderfully going along with us in all our proceedings."

The king quickly answered this manifesto. He had strong reasons to prevent betimes the impressions it might make upon the minds of the people. As a war was unavoidable, the king and the parliament were equally concerned to gain the people, and for that these papers were intended: We have seen in the parliament's manifesto, the objections against the king reiterated, and we shall see in the king's, the same answers he had before given to each of the articles. These two papers therefore may be considered as a recapitulation of whatever had been alledged *pro* and *con*, in the dispute between the king and the parliament. Both flattered themselves, that their reasons were unanswerable, and proposed them with great confidence. Nor was this intirely without foundation, for both sides, reasoning upon different principles, might be in the right, according to their respective suppositions.

His majesty's answer to a book, entitled, The declaration or remonstrance of the lords and commons of the 19th of May, 1642.

Rushworth, " IV. p. 704. " **I**f we could be weary of taking any pains for the satisfaction of our people, and to undeceive them of those specious mischievous insuflions which are daily instilled
T. I. p. 463. " into

" into them, to shake and corrupt their loyalty and affection CHAR. I.
 " to us and our government, after so full and ample decla- 1642.
 " ration of ourself and intentions, and so fair and satisfactory
 " answers to all such matters as have been objected to us by
 " a major part present of both houses of parliament, we
 " might well give over this labour of our pen, and sit still
 " till it shall please God so to enlighten the affections and
 " understandings of our good subjects on our behalf, (which
 " we doubt not but that in his good time he will do) that
 " they may see our sufferings are their sufferings. But
 " since, instead of applying themselves to the method pro-
 " posed by us, of making such solid particular propositions
 " as might establish a good understanding between us, or
 " of following the advice of our council of Scotland (with
 " whom they communicate their affairs) in forbearing all
 " means that may make the breach wider and wound deeper;
 " they have chosen to pursue us with new reproaches, or
 " rather to continue and improve the old, by adding and
 " varying little circumstances and language, in matters for-
 " merly urged by them, and fully answered by us. We
 " prevailed with ourself, upon very mature and particular
 " consideration of it, to answer the late printed book, in-
 " titled, *A declaration or remonstrance of the lords and commons*,
 " which was ordered the 19th of May last to be printed
 " and published, hoping then, that they would put us to
 " no more of this trouble, but that that should have been
 " the last of such a nature they would have communicated
 " to our people, and that they would not, as they have
 " done since, thought fit to assault us with a newer decla-
 " ration, indeed of a very new nature and learning, which
 " must have another answer. (1.)

REMARK (1.) This was another declaration of the second of June, whence it may be inferred, that this answer of the king to the first was not published till after that time.

" And we doubt not, but that our good subjects in short
 " time will be so well instructed in the differences and mi-
 " stakes between us, that they will plainly discern, with-
 " out resigning their reason and understanding to our prero-
 " gative, or the infallibility of a now major part of both
 " houses of parliament (infected by a few malignant spirits)
 " where the fault is. (2.)

REM. (2.) The king begins in this paper to represent the resolutions of the parliament, not as being agreeable to

CHAR. I. the sentiments of the nation, but as coming only from a
1642. disaffected party which prevailed in both houses.

“ Though we shall, with humility and alacrity, be always forward to acknowledge the infinite mercy and providence of almighty God, vouchsafed to many several ways to ourself and this nation, yet since God himself doth not allow that we should fancy and create dangers to ourself, that we might manifest and publish his mercy in our deliverance, we must profess we do not know those deliverances mentioned in the beginning of that declaration, from so many wicked plots and designs since the beginning of this parliament, which if they had taken effect, would have brought ruin and destruction upon this kingdom. We well know, the great labour and skill hath been used to amaze and affright our good subjects with fears and apprehensions of plots and conspiracies, the several pamphlets published; and letters scattered up and down, full of such ridiculous contemptible animadversions to that purpose, as (though they found, for what end God knows, very unusual countenances) no sober man would be moved with them. But we must confess, we have never been able to inform ourself of any such pernicious formed design against the peace of this kingdom, since the beginning of this parliament, as is mentioned in that declaration, or might be any warrant to those great fears, both our houses of parliament seem to be transported with; but we have great cause to believe, more mischief and danger hath been raised and begotten to the disturbance of this kingdom, than cured or prevented by those fears and jealousies. And therefore, however the rumour and discourse of plots and conspiracies may have been necessary to the designs of particular men, they shall do well not to pay any false devotions to almighty God, who discerns whether our dangers are real or pretended.

“ For the bringing up of the army to London, as we have heretofore (by no other direction than the testimony of a good conscience) called God to witness, we never had, or knew of such resolution; so upon the view of such depositions now published with that declaration, it is not evident to us, there was ever such a design, unless very loose discourse or argument be instance enough of a design. (3.)

REM. (3.) The king seems to vindicate himself very weakly upon this article. His whole answer lies in the ambiguity

ambiguity of the word design, which may signify, either CHAR. I.
1642. a bare project, or a settled and formed design. It is certain, there was a design or project to bring up the army to London, which the king knew of and was proposed by Jermya; but no resolution was taken thereon. The king denies, he knew of any such resolution, because indeed there was none. But he dares not deny, he was informed of the design or project to march the army to London. Wherefore, after having spoken of the design in general, he immediately changes the word into that of resolution. Charles I. was very skilful in such sort of ambiguities.

“ And it is apparent, that what was said of it, was near three months before the discovery to both houses of parliament: so that if there were any danger threatned that way, it vanished without any resistance or prevention, by the wisdom, power, or authority of them. (4.)

REM. (4.) The parliament insisted chiefly upon the king's intention, and endeavoured to prove the fact, in order to shew the intention. So it was not a proof of the king's having no ill intention, that the design of seducing the army, and bringing it up to London, was not pursued.

“ It seems the intention of that declaration (whatsoever other end it hath) is to answer a declaration they received from us, in answer to that which was presented to us at New-market the 9th of March last; and likewise to our answer to the petition of both houses, presented to us at York the 26th of March last. But before that declaration falls upon any particulars of our said declaration or answer, it complains, that the heads of the malignant party have, with much art and industry, advised us to suffer divers unjust scandals and imputations upon the parliament, to be published in our name, whereby they might make it odious to the people, and by their help destroy it: but not instancing in any one scandal or imputation so published by us, we are still to seek for the heads of that malignant party. But our good subjects will easily understand, that if we are guilty of that aspersion, we must not only be active in raising the scandal, but passive in the mischief begotten by that scandal, we being an essential part of the parliament. (5.)

REM. (5.) This is only a subtlety grounded upon the ambiguity of the word parliament. In the declaration which the king is answering, by the term, *parliament*, is meant both houses, exclusive of the king, and here the king means both houses and the king together.

CHAR. I. 1642. " And we hope the just defence of ourself and our authority, and the necessary vindication of our innocence and justice, from the imputation laid on us by a major part then present, by either or both houses, shall no more be called a scandal upon the parliament, than the opinion of such a part be reputed an act of parliament. And we hope our good subjects will not be long misled by that common expression, in all the declarations, wherein they usurp the word parliament, and apply it to countenance any resolution or vote some few have a mind to make, by calling it, the resolution of parliament, which can never be without our consent; neither can the vote of either, or both houses, make a greater alteration in the laws of this kingdom (so solemnly made by the advice of their predecessors, with the concurrence of us and our ancestors) either by commanding or inhibiting any thing (besides the known rules of the law) than our single direction or mandate can do, to which we do not ascribe the authority (6.)

REM. (6.) This reason is invincible, supposing the government in its natural state. But it could not make any impression upon those who believed the king intended to establish an arbitrary power.

" But that declaration informs our people, that the malignant party hath drawn us into the northern parts far from our parliament: it might more truly and properly have said, that it hath driven, than drawn us hither. (7.)

REM. (7.) The parliament understood by the malignant party the kings party, and here the king gives the same name to that of the parliament.

" For we confess our journey hither (for which we have no other reason to be sorry, than with reference to the cause of it) was only forced upon us by the true malignant party, which contrived and countenanced those barbarous tumults, and other seditious circumstances, of which we have so often complained, and hereafter shall say more, and which indeed threatens so much danger to our person, and laid so much scandal upon the whole privilege and dignity of parliament, that we wonder it can be mentioned without blushes or indignation: but of that anon. But why the malignant party should be charged with causing a press to be transported to York, we cannot imagine; neither have any papers or writings issued from thence, to our knowledge, but what have been extorted from us by such provocations, as have not
" been

“ been before offered to a king. And no doubt it will ap- CHAR. I.
 “ pear a most trivial and fond exception, when all presses 1642.
 “ are open to vent whatsoever they think fit to say to the
 “ people, (a thing unwarranted by former custom) that
 “ we should not make use of all lawful means to publish
 “ our just and necessary answers thereunto. As for the au-
 “ thority of the great-seal, (though we do not know that
 “ it hath been necessary to things of this nature) the same
 “ shall be more frequently used hereafter, as occasion shall
 “ require (8.); to which we make no doubt the greater
 “ and better part of our privy-council will concur, and
 “ whose advice we are resolved to follow, as far as it shall
 “ be agreeable to the good and welfare of the kingdom.

REM. (8.) The parliament's declaration was published the 19th of May, and three days after the lord-keeper. Littleton went privately from London with the great-seal to the king. So the king had it in his hands when he published his answer. For this reason, he says, the same shall be more frequently used hereafter.

“ Before that declaration vouchsafes to insist on any par-
 “ ticulars; it is pleased to censure both our declaration and
 “ answer, to be filled with harsh censures, and causeless
 “ charges upon the parliament (still misapplying the word
 “ parliament to the vote of both houses) concerning which
 “ they resolve to give satisfaction to the kingdom, since
 “ they find it very difficult to satisfy us. If, as in the usage
 “ of the word parliament, they have left us out of their
 “ thoughts; so by the word kingdom, they intend to ex-
 “ clude all our people, who are out of their walls, (for
 “ that's grown another phrase of the time, the vote of the
 “ major part of both houses, and sometimes of one, is now
 “ called, *The resolution of the whole kingdom*) we believe it
 “ may not be hard to give satisfaction to themselves; other-
 “ wise we are confident (and our confidence proceeds from
 “ the uprightness of our own conscience) they will never
 “ be able so to serve the affections of us and our kingdom,
 “ that what cannot be satisfaction to the one, shall be to
 “ the other. Neither will the stile of *bumble and faithful*;
 “ and telling us, *That they will make us a great and glorious*
 “ *king*, in their petitions and remonstrances, so deceive our
 “ good subjects, that they will pass over the reproaches,
 “ threats, and menaces they are stuffed with, which sure
 “ could not be more gently reprehended by us, than by
 “ saying, their expressions were different from the usual
 “ language to princes, which that declaration tells you we
 “ had

CHAS. I. "had no occasion to say. But we believe, whosoever looks
 1642. "over that declaration presented to us at New-market, to
 "which ours was an answer, will find the language through-
 "out it to be so unusual, that before this parliament, it
 "could never be paralleled; whilst under pretence of ju-
 "stifying their fears, they give so much countenance to the
 "discourse of the rebels of Ireland, as if they had a mind
 "our good subjects should give credit to it: otherwise, be-
 "ing warranted by the same evidence, which they have
 "since published, they would have as well declared, That
 "those rebels publicly threaten the rooting out the name
 "of the English, and that they will have a king of their
 "own, and no longer be governed by us; as that they
 "say, that they do nothing but by our authority, and that
 "they call themselves *the queen's army*. And therefore we
 "have great reason to complain of the absence of justice
 "and integrity in that declaration, besides the unsuitness of
 "other expressions. Neither did we mistake the substance
 "or logic of the message to us at Theobalds concerning
 "the militia, which was no other, and is stated to be no
 "other (even by that declaration which reproved us) than
 "a plain threat, *That if we refused to join with them, they*
 "*would make a law without us*. Nor hath the practice since
 "that time been other, which will never be justified to the
 "most ordinary (if not partial) understandings, by the mere
 "averring it to be according to the fundamental laws of
 "this kingdom, without giving any direction, that the most
 "cunning and learned men in the laws may be able to find
 "those foundations. (9.)

RUM. (9.) There is here an ambiguity in the term Funda-
 mental law. The parliament had clearly expressed what
 they meant by this fundamental law, viz. if the king failed
 in the discharge of his duty, the nation ought not, how-
 ever, to be without defence, and in that case, it belonged
 to the parliament to take care of it. Instead therefore of
 asking where this law was, it seems, that the king should
 have shewn, either that, tho' he neglected his duty, it be-
 longed not to the parliament to meddle with the government
 of the state, or that he never had neglected, nor did still
 neglect it. For, according to the parliament, though this
 law was not expressed in any particular statute, it naturally
 flowed from the constitution of the government. The king
 seems, by requiring this law to be produced, to insinuate;
 that the parliament, in no case whatever, could intermeddle
 with the government of the state, unless authorised by an
 express

express law; and yet the parliament had alledged two cases, CHAR. I.
1642.
namely, the captivity and nonage of a king, wherein they might have the management of the government, and they reckoned the king's negligence in the same class. To this the king should have returned an answer.

“And we must appeal to all the world, whether they might not, with as much justice, and by as much law, have seized upon the estate of every member of both houses, who dissented from that pretended ordinance, (which almost the major part of the house of Peers did two or three several times) as they have invaded that power of ours over the militia; because we (upon reasons they have not so much as pretended to answer) refuse to consent to that proposition. (10.)

REPL. (10.) The authority assumed by the parliament, was not an ordinary authority, nor pretended to be so. It was extraordinary for the present supposed case, that there was great danger from the king. As therefore they had not the same suspicions of those who had at first refused their consent to the ordinance, they could not seize their estates, upon the same foundation. Thus the consequence drawn by the king from the parliament's usurpation, does not seem just.

“And if no better effects, than loss of time, and hindrance of the public affairs, have been found by our answers and replies, let all good men judge, by whose default, and whose want of duty, such effects have been: for as our end (indeed only end) in those answers and replies, hath been the settlement and composure of public affairs, so we are assured, and most men do believe, That if that due regard and reverence had been given to our words, and that consent and obedience to our counsels, which we did expect, there had been before this time a cheerful calm upon the face of the whole kingdom, every man enjoying his own, with all possible peace and security that can be imagined; which surely those men do not desire, who (after all those acts of justice and favour passed by us this parliament, all those affronts and sufferings endured and undergone by us) think fit still to reproach us with ship-money, coat and conduct-money, and other things so abundantly declared (as that declaration itself confesses) in the general remembrance of the state of the kingdom, published in November last, which we wonder to find now avowed to be the remembrance of both houses, and which we are sure,

“ was

CHAR. J. " was presented to us only by the house of commons ; and
 1642. " did never, and we are confident, in that time could never
 " have passed the house of Peers ; the concurrence and
 " authority of which was not then thought necessary. Shall
 " we believe those reproaches to be the voice of the king-
 " dom of England ? That all our loving subjects, eased,
 " refreshed, strengthened, and abundantly satisfied with our
 " acts of grace and favour towards them, are willing to be
 " involved in these unthankful expressions ? We must ap-
 " peal to the thanks and acknowledgments published in the
 " petitions of most of the counties of England, to the
 " testimony and thanks we have received from both houses
 " of parliament, how seasonable, how agreeable this usage
 " of us is to our merit, or their former expressions.

" We have not in the least swerved or departed from
 " our resolution, or words, in the beginning of this par-
 " liament. We said, we were resolved to put ourself
 " freely and clearly upon the love and affection of our
 " English subjects ; and we say so still, as far as concerns
 " England. And we call almighty God to witness all our
 " complaints and jealousies, which have never been cause-
 " less, not out of our houses of parliament, (but of some
 " few schismatical, factious, and ambitious spirits, and up-
 " on such grounds, as short time, we fear, will justify to
 " the world) our denial of the militia, our absenting our-
 " self from London, have been the effects of an upright
 " and faithful affection to our English subjects, that we
 " may be able (through all the inconveniences we are com-
 " pelled to wrestle with) at last, to preserve and restore
 " their religion, laws, and liberties unto them.

" Since the proceedings against the lord Kimbolton, and
 " the five members, is still looked upon, and so often
 " pressed as so great an advantage against us, that no re-
 " traction made by us, nor no actions since that time
 " committed against us, and the law of the land, under
 " the pretence of vindication of privilege, can satisfy the
 " contrivers of that declaration, but that they would have
 " our good subjects believe, the accusation of those six
 " members must be a plot, for the breaking the neck of
 " the parliament, (a strange arrogance, if any of those
 " members had the penning of that declaration) and that
 " it is so often urged against us, as if, by that single casual
 " mistake of ours, (in form only) we had forfeited all duty,
 " credit and allegiance from our people ; we must, with-
 " out endeavouring to excuse that, which in truth was an
 " error,

“ error (our going to the house of commons) give our people a clear and full narration of the matter of fact, assuring ourselves, that our good subjects will not find our carriage in that business such as hath been reported. CHAR. I. 1642.

“ When we resolved upon such grounds, as, when they shall be published, will satisfy the world, that it was fit for our own safety and honour, and the peace of the kingdom, to proceed against those persons (11.); tho’ we well know there was no degree of privilege in that case, yet (to shew our desire of correspondency with the two houses of parliament) we chose, rather than to apprehend their persons by the ordinary ministers of justice, (which, according to the opinion and practice of former times, we might have done) to command our attorney-general to acquaint our house of Peers with our intention, and the general matter of our charge, (which was yet more particular than a mere accusation) and to proceed accordingly; and at the same time sent a sworn servant, a serjeant at arms to our house of commons, to acquaint them, That we did accuse, and intended to prosecute the five members of that house for high-treason, and did require that their persons might be secured in custody.

REM. (11.) I have already said, that the parliament was chiefly offended, that the articles of the accusation exhibited by the attorney-general, were levelled at the whole house of commons, and a great number of lords, as much as at the persons accused. Here, the king maintains the matter of the accusation, since it was for the peace of the kingdom, and passes over in silence the reasons which he reserved for another time, and thereby his vindication cannot be full and perfect.

“ This we did, not only to shew that we intended not to violate or invade their privileges, but to use more ceremony towards them, than we then conceived in justice might be required of us; and expected at least such an answer as might inform us, if we were out of the way: but we received none at all; only in the instant, without offering any thing of their privileges to our consideration, an order was made, (and the same night published in print) That if any person whatsoever should offer to arrest the person of any member of that house, without first acquainting that house therewith, and receiving further orders from that house, that it should be lawful for such members, or any person, to assist them, and to stand upon his, or their guard of defence, and to make resistance according

CHAR. I. "conding to the protestation taken to defend the privileges
1642. "of parliament. And this was the first time that we heard

"the protestation might be wrested to such a sense; or that
"in any case, (though of the most undoubted and unquestionable
"privilege) it might be lawful for any person to resist, and use
"violence against a public minister of justice, armed with lawful
"authority, though we well knew, that even such a minister might
"be punished for executing such authority.

"Upon viewing this order, we must confess we were somewhat
"amazed, having never seen or heard of the like, though we had
"known members of either house committed, without so much
"formality as we had used, and upon crimes of a far inferior
"nature to those we had suggested, and having no course
"proposed to us for our proceeding, we were upon the matter
"only told, that against those persons we were not to proceed
"at all: That they were above our reach, or the reach of the
"law. It was not then easy for us to resolve what to do. (12.)

REM. (12.) This is a little disguised. The king was not
"told, that these members were above the reach of the law:
"but only, that the parliament sitting, the members could not
"be imprisoned without the consent of their house, and that
"it was expected the grounds of the accusation should be made
"known, in order to this consent.

"If we employed our ministers of justice in the usual
"way for their apprehension, (who, without doubt, would
"not have refused to execute our lawful commands) we
"saw what resistance and opposition was like to be made,
"which very probably might cost some blood. If we fate
"still, and desisted upon this terror, we should at the best
"have confessed our own want of power, and the weakness
"of the law. In this strait we put on a sudden resolution
"to try, whether our own presence, and a clear discovery
"of our intentions (which haply might not have been so well
"understood) could remove those doubts, and prevent those
"inconveniencies, which seemed to have been threatened;
"and thereupon we resolved to go in our own person to our
"house of commons, which we discovered not till the very
"minute of our going; when we sent out, That our servants,
"and such gentlemen as were then in our court, should attend
"us to Westminster: but giving them express command (as we
"have expressed in our answer to the ordinance that no accident of provocation
"should

" should draw them to any such action as might imply a CHAR. I,
1642.
 " purpose of force in us : and ourself, requiring those of our
 " train not to come within the door) went into the house
 " of commons : the bare doing of which, we did not then
 " conceive would have been thought more a breach of pri-
 " vilege, than if we had gone to the house of peers, and
 " sent for them to come to us, which is the usual custom.
 " We used the best expressions we could, to assure them,
 " how far we were from any intention of violating their
 " privileges, that we intended to proceed legally and speedi-
 " ly against the persons we had accused, and desired there-
 " fore, if they were in the house, that they might be deli-
 " vered to us ; or, if absent, that such course might be
 " taken for their forth-coming, as might satisfy our just de-
 " mands : and so we departed, having no other purpose of
 " force, if they had been in the house, than we have before
 " protested before God, in our answer to the ordinance.
 " You have an account of our part of this story fully, let
 " our people judge freely of it. What followed on their
 " part, (tho' this declaration tells you, *it could not withdraw*
 " *any part of their reverence and obedience from us* ; it may be
 " any part of theirs it did not) we shall have too much
 " cause hereafter to inform the world.

" There will be no end of the discourse, and upbraiding
 " us with evil counsellors, if, upon our constant denial of
 " knowing any, they will not vouchsafe to inform us of
 " them ; and after eight months amusing the kingdom with
 " the expectation of a discovery of a malignant party, and
 " of evil counsellors, they will not at last name any, nor
 " describe them. Let the actions and lives of men be ex-
 " amined, who have contrived, counselled, actually con-
 " sented to grieve and burden our people : and if such as
 " be about us, or any against whom any notorious malicious
 " crime can be proved ; if we shelter and protect any such,
 " let our injustice be published to the world : but till that
 " be done, particularly and manifestly, (for we shall never
 " conclude any man, upon a bare general vote of the major
 " part of either, or both houses, till it be evident, that ma-
 " jor-part be without passion or affection) we must look
 " upon the charge this declaration puts on us, of cherishing
 " and countenancing a discontented party of the kingdom
 " against them, as a heavier and unjust tax upon our ju-
 " stice and honour, than any we have, or can lay, upon the
 " framers of that declaration. (13.)

CHAR. I. REM. (13.) With such restrictions one may eternally dispute: for who should be judge, whether the major part of the house were without passion or prejudice?

“ And now to countenance those unhandsome expressions, whereby usually they have implied our connivance at, or want of zeal against, the rebellion of Ireland, (so odious to all good men) they have found a new way of exprobration; *That the proclamation against these bloody traitors came not out till the beginning of January, tho’ that rebellion broke out in October; and then by special command from us, but forty copies were appointed to be printed.* It is well known where we were at that time, when that rebellion broke forth, in Scotland; that we immediately from thence recommended the care of that business to both houses of parliament here, after we had provided for all fitting supplies from our own kingdom of Scotland: that after our return hither, we observed all those forms for that service, which we were advised to by our council of Ireland, or both houses of parliament here; and if no proclamation issued out sooner (of which for the present we are not certain, but think that others before that time were issued by our direction) it was, because the justices of the kingdom desired them no sooner, and when they did, the number they desired was but twenty, which they advised might be signed by us; which we for expedition of the service commanded to be printed, (a circumstance not required by them) thereupon we signed more than our justices desired. All which was very well known to some members, of one or both houses of parliament; who have the more to answer, if they forbore to express it at the passing of this declaration: and if they did express it, we have the greater reason to complain, that so envious an aspersion should be cast on us to our people; when they know well how to answer their own objections. (14.)

REM. (14.) This answer appears something weak; for supposing forty copies would have been sufficient for Ireland, why was not the proclamation published in England? The king returns no answer to what the parliament said of the proclamation against the Scots.

“ What that complaint is against the parliament, put forth in our name, which is such an evidence and countenance to the rebels, and speaks the same language of the parliament which the rebels do, we cannot understand. All our answers and declarations have been, and are

"are owned by us, and have been attested under our own
 "hand; if any other had been published in our name, and
 "without our authority, it would be easy for both houses of
 "parliament to discover and apprehend the authors. And
 "we wish, that whosoever was trusted with the drawing
 "and penning of that declaration, had no more authority or
 "cunning to impose upon or deceive the major part of
 "those votes by which it passed, than any man hath to
 "prevail with us to publish in our own name any thing,
 "but the sense and resolution of our own heart: or, that
 "the contriver of that declaration could, with as good a
 "conscience, call God to witness, that all his counsels and
 "endeavours have been free from all private aims, perso-
 "nal respects or passions whatsoever, as we have done and
 "do, that we never had or knew of such resolutions of
 "bringing up the army to London. And since this new
 "device is found out, instead of answering our reasons, or
 "satisfying our just demands, to blast our declarations and
 "answers, as if they were not our own (a bold senseless im-
 "putation) we are sure, that every answer and declaration
 "published by us, is much more our own, than any one of
 "those bold, threatening, and reproachful petitions and re-
 "monstrances are the acts of either, or both houses. And
 "if the penner of that declaration had been careful of the
 "trust reposed in him, he would never have denied, (and
 "thereupon found fault with our just indignation) in the
 "text or margin, that we had never been charged with the
 "intention of any force; and that in their whole declara-
 "tion, there is no word tending to such a reproach; the
 "contrary whereof is so evident, that we are in express
 "terms charged in that declaration; that we sent them gra-
 "cious messages, when, with our privacy, bringing up the
 "army was in agitation. And even in this declaration they
 "seek to make our people believe, some such thing to be
 "proved in the depositions now published, wherein, we
 "doubt not, they will as much fail; as they do in their cen-
 "sure of that petition shewed formerly to us by captain
 "Legge, and subscribed by us with C. R. which, notwith-
 "standing our full and particular narration of the substance
 "of that petition, the circumstances of our seeing and ap-
 "proving it, this declaration is pleased to say, was full of
 "scandal to the parliament, and might have proved dan-
 "gerous to the whole kingdom. If they have this dan-
 "gerous petition in their hands, we have no reason to be-
 "lieve any tenderness to us-ward hath kept them from com-
 "municating

CHAR. I. "municating it: if they have it not, we ought to have been
 1642. "believed. But that all good people may compute their
 "other pretended dangers by their clear understanding of
 "this, the noise whereof hath not been inferior to any of
 "the rest, we have recovered a true copy of the very peti-
 "tion we signed with C. R. which shall in fit time be pub-
 "lished; and which we hope will open the eyes of our
 "good people. (15.) Concerning our warrant for Mr.
 "Jermin's passage, our answer was true and full: but for
 "his black sattin suit, and white boots, we can give no
 "account.

REM. (15.) This whole article of the answer seems very weak, since the king's defence consists only of his own testimony. There could not be a more proper occasion to publish the petition, of which he said he had a true copy. But in deferring the publication to a more convenient time, he gave room to suspect, there were some things in the petition which were not favourable to him.

"We complained in our declaration, and as often as we
 "have occasion to mention our return and residence near
 "London, we shall complain, of the barbarous and sedi-
 "tious tumults at Westminster and Whitehall, which in-
 "deed was full of scandal to our government, and danger
 "to our person, that we shall never think of our return thi-
 "ther, till we have justice for what is past, and security for
 "the time to come. And if there were so great a necessity,
 "or desire of our return as is pretended, in all this time,
 "upon so often pressing our desires, and upon causes so no-
 "torious, we should at least have procured some order for
 "the future. But that declaration tells us, we are upon
 "the matter mistaken; the resort of the citizens to West-
 "minster was as lawful as the resort of great numbers every
 "day in the term to the ordinary courts of justice. They
 "knew no tumults. Strange! Was the disorderly appear-
 "ance of so many thousand people with staves and swords,
 "crying through the streets, Westminster-hall, the passage
 "between both houses, (inasmuch as the members could
 "hardly pass to and fro) *No bishops, down with the bishops;*
 "no tumults! What member is there of either house that
 "saw not those numbers, and heard not those cries? And
 "yet lawful assemblies! Were not several members of
 "either house assaulted, threatened and ill treated? And yet
 "no tumults! Why made the house of peers a declaration,
 "and sent it down to the house of commons, for the sup-
 "pressing of tumults, if there were no tumults? And if
 "there

"there were any, why was not such a declaration consented CHAR. I.
 "to and published? When the attempts were so visible, 1642.
 "and the threats so loud to pull down the abbey at West-
 "minster, had we not cause to apprehend that such people
 "would continue their work to Whitehall? Yet no tu-
 "mults! What a strange time are we in! That a few im-
 "pudent, malicious (to give them no worse term) men,
 "should cast such a strange mist of error before the eyes
 "of both houses of parliament, as that they either cannot,
 "or will not see, how manifestly they injure themselves by
 "maintaining these visible untruths? We say no more. By
 "the help of God, and the law, we will have justice for
 "these tumults. (16.)

REM. (16.) The parliament's declaration contained two
 things upon this article; first, That the concurrence of people
 at Westminster was no tumult. Secondly, That the king's
 person was in no danger, since on the morrow he went
 through the city without a guard, and moreover staid several
 days at Whitehall in safety. The king answers here to
 the first of these things, and leaves the other without reply.
 Only he draws a consequence, that Whitehall was in danger,
 because the people threatened to pull down Westminster-
 abbey, a circumstance which no where appears in the
 accounts of these tumults.

"From excepting (how weightily let every man judge)
 "to what we have said, that declaration proceeds to cen-
 "sure us for what we have not said, for the prudent omis-
 "sions in our answer: We forebore to say any thing of the
 "words spoken at Kensington, or the articles against our
 "dearest consort, and of the accusation of the six mem-
 "bers: of the last we have spoken often, and we thought
 "enough of the other two; having never accused any (tho'
 "God knows what truth there might be in either) we had
 "no reason to give any particular answer.

"We do not reckon ourself bereaved of any part of our
 "prerogative, which we are pleased freely for a time to part
 "with by bill; yet we must say, we expressed a great trust
 "in our two houses of parliament, when we divested ourself
 "of the power of dissolving this parliament, which was a
 "just, necessary, and proper prerogative: but we are glad
 "to hear their resolution, that it shall not encourage them
 "to do any thing, which otherwise had not been fit to have
 "been done; if it do, it will be such a breach of trust, God
 "will require an account for at their hands.

CHAR. I.
1642.

“ For the militia, we have said so much in it heretofore,
“ and the point is so well understood by all men, that we
“ will waste time no more in that dispute. We never said
“ there was no such thing as an ordinance, (though we
“ know that they have been long disused) but that there
“ was never any ordinance, or can be, without the kings
“ consent ; and that is true, and the unnecessary precedent
“ cited in that declaration doth not offer to prove the con-
“ trary. But enough of that, God and the law must de-
“ termine that business.

“ Neither hath this declaration given us any satisfaction
“ concerning the votes of the 15th and 16th of March last,
“ which we must declare, and appeal to all the world in
“ the point, to be the greatest violation of our privilege,
“ the law of the land, the liberty of the subject, and the
“ right of parliament, that can be imagined. One of
“ these votes is (and there needs no other to destroy the
“ king and people) *That when the lords and commons* (it is
“ well the commons are admitted to their part in judica-
“ ture) *shall declare what the law of the land is, the same must*
“ *be assented to, and obeyed*; that is the sense in few words.
“ Where is every man's property ; every man's liberty ? If
“ a major part of both houses declare that the law is, that
“ the younger brother shall inherit, what is become of all
“ the families and estates in the kingdom ? If they declare,
“ that by the fundamental law of the land, such a rash ac-
“ tion, such an unadvised word ought to be punished by
“ perpetual imprisonment, is not the liberty of the subject,
“ *durante bene placito*, remediless ? That declaration con-
“ fesseth, They pretend not to a power of making new
“ laws ; that without us they cannot do that. They need
“ no such power, if their declaration can suspend this sta-
“ tute from being obeyed or executed, and make this order,
“ which is no statute, to be obeyed and executed. If they
“ have power to declare the lord Digby, waiting on us to
“ Hampton-court, and thence visiting some officers at
“ Kingston, with a coach and six horses, to be levying of
“ war and high treason ; and Sir John Hotham's defying
“ us to our face, keeping our town, fort, and goods against
“ us by force of arms, to be an act of affection and loyalty ;
“ what needs a power of making new laws ? Or is there
“ such a thing as law left ? We desire our good subjects to
“ mark the reason and consequence of these votes, the pro-
“ gress they have already made, and how infinite that pro-
“ gress may be. First, they vote the kingdom is in immi-
“ nent

"nent danger (it is above three months since they dis-
 "cerned it) from enemies abroad, and a popish and dis-
 "contented party at home: this is matter of fact, the law
 "follows. This vote hath given them authority by law
 "(the fundamental laws of the kingdom) to order and dis-
 "pose of the militia of the kingdom, and with this power,
 "and to prevent that danger, to enter into our towns, seize
 "upon our magazine, and by force keep both from us. Is
 "not this our case? First, they vote we have an intention
 "to levy war against our parliament^h, that is matter of
 "fact: then they declare, such as shall assist us, to be guilty
 "of high-treason; that is the law, and proved by two sta-
 "tutes, themselves known to be repealed: no matter for
 "that, they declare it. Upon this ground they exercise
 "the militia, and so actually do that upon us, which they
 "have voted we intend to do upon them. Who doth not
 "see the confusion that must follow upon such a power of
 "declaring? If they should now vote, that we did not write
 "this declaration, but that such an one did it, which is
 "still matter of fact; and then declare, that for so doing
 "he is an enemy to the commonwealth; what is become
 "of the law that man was born to? And if all their zeal
 "for the defence of the law, be but to defend that which
 "they declare to be law, their own votes, it will not be in
 "their power to satisfy any man of their good intentions to
 "the public peace, but such who are willing to relinquish
 "their titles to *Magna Charta*, and hold their lives and for-
 "tunes by a vote of a major part of both houses. In a
 "word, we deny not; but that they may have power to de-
 "clare, in a particular doubtful case, regularly brought be-
 "fore them, what law is; but to make a general declara-
 "tion, whereby the known rule of the law may be crossed
 "or altered, they have no power, nor can exercise any,
 "without bringing the life and liberty of the subject, to a
 "lawless and arbitrary subjection. (17.)

REM. (17.) It must have been a great mortification to
 the king, to be forced to show by such good arguments,
 the mischiefs that flow from arbitrary power. The same
 reasons used by the king, to demonstrate that arbitrary
 power was a natural consequence of the parliament's max-
 ims, served to prove, that it was equally hazardous to leave;
 not every king of England, but Charles I. in particular, in-
 vested with the royal authority allowed him by the laws;
 considering the use he had already made of that power.

D 3

"We

^h These votes passed in the interval between the publication of the parlia-
 ment's declaration, and that of the
 king's answer. Rapin.

CHAR. I.
1642.

" We complained, (and let the world judge of the justice
" and necessity of that complaint) of the multitude of seditious pamphlets and sermons. And that declaration tells
" us, they know we have ways enough in our ordinary
" courts of justice to punish those ; so we have to punish
" tumults and riots, and yet they will not serve our turn to
" keep our towns, our forests, and parks from violence ¹.
" And it may be, though those courts have still the power
" to punish, they may have lost the skill to define what
" riots and tumults are ; otherwise a jury in Southwark,
" legally impannelled to examine a riot there, would not
" have been superseded, and the sheriff enjoined not to proceed, by virtue of an order from the house of commons,
" which it seems at that time had the sole power of declaring. But it is no wonder, that they who could not see
" the tumults, do not consider the pamphlets and sermons,
" though the author of the *Protestation protested*, be well
" known to be Burton (that infamous disturber of the peace
" of this church and state) and that he preached it at Westminster, in the hearing of divers members of the house
" of commons : but of such pamphlets, and seditious preachers (divers whereof have been recommended, if not imposed upon several parishes, by some members of both
" houses, by what authority we know not) we shall hereafter take a further account. (18.)

REM. (18.) These sermons contained, for the most part, the maxims which the parliament would have established, or pretended to be agreeable to the laws ; but which the king looked upon as seditious, and for that reason affirmed, the parliament ought to punish the authors. This Burton was the same whose ears were cut off by the Star-chamber, and who was banished to Guernsey, for publishing a treatise against the church of England. It seems here, that, the king was not pleased with the parliament's reversing his sentence.

" We confess we have little skill in the laws, and those
" that have had most, we now find are much to seek. Yet
" we cannot understand or believe, that every ordinary
" court, or any court, hath power to raise what guard they
" please ; and under what command they please ; neither
" can we imagine what dangerous effects they have found
" by the guard we appointed them, or (indeed) any the least
" occasion why they needed a guard at all.

" But

¹ This alludes to a disturbance which happened in the park and forest of Windsor. *Idem.*

“ But of all the imputations so causelessly and unjustly CHAR. I.
1642.
 “ laid upon us by that declaration, we most wonder at that
 “ charge so apparently and evidently untrue, That such are
 “ continually preferred and countenanced by us, who are
 “ friends or favourers or related unto the chief authors and
 “ actors of that arbitrary power, heretofore practised or
 “ complained of: and on the other side, that such as did
 “ appear against it, are daily discountenanced and disgraced.
 “ We would know one person that contributed to the ill
 “ of those times, or had dependence upon those that did,
 “ whom we do, or lately have countenanced or preferred.
 “ Nay, we are confident (and we look for no other at their
 “ hands) as they have been always most eminent assertors of
 “ the public liberties; so, if they found us inclined to any
 “ thing not agreeable to honour and justice, they would
 “ leave us to-morrow: whether different persons have not
 “ and do not receive countenance elsewhere, and upon what
 “ grounds, let all men judge; and whether we have not
 “ been forward enough to honour and prefer those of the
 “ most contrary opinion, how little comfort soever we have
 “ had of those preferments; in bestowing of which here-
 “ after we shall be more guided by mens actions than opi-
 “ nions. And therefore we had good cause to bestow that
 “ admonition (for we assure you it was an admonition of
 “ our own) upon both our houses of parliament, to take
 “ heed of inclining, under the specious shews of necessity
 “ and danger, to the exercise of such an arbitrary power
 “ they before complained of: the advice will do no harm,
 “ and we shall be glad to see it followed.

“ And are all the specious promises, and loud professions
 “ of making us a great and glorious king, of settling a
 “ greater revenue upon us than any of our ancestors have
 “ enjoyed; of making us to be honoured at home, and
 “ feared abroad; resolved into this, that they will be ready
 “ to settle our revenue in an honourable proportion, when
 “ we shall put ourself in such a posture of government, that
 “ our subjects may be secure to enjoy our just protection for
 “ their religion, laws, and liberties? what posture of go-
 “ vernment they intend we know not, nor can we imagine
 “ what security our good subjects can desire for their religion,
 “ laws, and liberties, which we have not offered, or fully
 “ given. (19.)

REM. (19.) Unhappily, since the violation of the peti-
 tion of right, neither the king's word nor promises, nor
 even acts of parliament, had been deemed a sufficient secu-
 rity.

CHAR. I. rity. At least, plausible reasons were alledged not to confide in them. Nothing but the militia could satisfy the parliament, and that was what the king would not willingly grant.

“ And is it suitable to the duty and dignity of both houses of parliament, to answer our particular weighty expressions of the causes of our remove from London (so generally known to the kingdom) with a scoff, that they hope we were driven from thence, not by our own fears, but by the fears of the lord Digby, and his retinue of cavaliers? Sure the penner of that declaration inserted that ungrave and insolent expression, (as he hath done divers others) without the consent or examination of both houses, who would not so lightly have departed from their former professions of duty to us.

“ Whether the way to a good understanding between us and our people, hath been as zealously pressed by them, as it hath been professed and desired by us, will be easily discerned by those who observe, that we have left no public act undone on our part, which in the least degree might be necessary to the peace, plenty, and security of our subjects, and that they have not dispatched one act, which hath given the least evidence of their particular affection and kindness to us; but on the contrary, have discountenanced and hindered the testimony other men would give to us of their affections; witness, the stopping and keeping back the bill of subsidies granted by the clergy almost a year since; which, though our personal wants are so notoriously known, they will not to this time pass: so not only forbearing to supply us themselves, but keeping the love and bounty of other men from us, and afford no other answers to all our desires, all our reasons, (indeed not to be answered) than, that we must not make our understanding or reason, the rule of our government, but suffer ourself to be assisted (which we never denied, by our great council. We require no other liberty to our will, than the meanest of them do, (we wish they would always use that liberty) not to consent to any thing evidently contrary to our conscience and understanding; and we have and shall always give as much estimation and regard to the advice and counsel of both our houses of parliament, as ever prince hath done; but we shall never (and we hope our people will never) account the contrivance of a few (factious, seditious persons, a malignant party, who would sacrifice the common-wealth

“wealth to their own fury and ambition) the wisdom of CHAR. I.
 “parliament: and that the justifying and defending such 1642.
 “persons, (of whom, and of their particular sinister ways
 “to compass their own bad ends, we shall shortly inform
 “the world) is not the way to preserve parliaments, but is
 “the opposing and preferring the consideration of a few
 “unworthy persons, before their duty to their king, or
 “their care of the kingdom. They would have us remem-
 “ber, that our resolutions do concern kingdoms, and there-
 “fore are not to be moulded by our own understanding.
 “We well remember it, but we would have them remem-
 “ber, that when their consultations endeavour to lessen the
 “office and dignity of a king, they meddle with that which
 “is not within their determination, and of which we must
 “give an account to God, and our other kingdoms, and
 “must maintain with the sacrifice of life.

“Lastly, That declaration tells you, of a present despe-
 “rate, and malicious plot, the malignant party is now act-
 “ing, under the plausible notions of stirring men up to a
 “care of preserving the king’s prerogative, maintaining the
 “discipline of the church, upholding and continuing the
 “reverence and solemnity of God’s service, and encourag-
 “ing learning, (indeed plausible and honourable notions to
 “act any thing upon) and that upon these grounds divers
 “mutinous petitions have been framed in London, Kent,
 “and other places. Upon what grounds would these men
 “have petitions framed? Have so many petitions (even
 “against the form and constitution of the kingdom, and
 “laws established) been joyfully received and accepted?
 “And shall petitions framed upon these grounds be called
 “mutinous? Hath a multitude of mean, unknown, inconsi-
 “derable, contemptible persons, about the city and suburbs of
 “London, had liberty to petition against the government of
 “the church, against the book of common-prayer, against
 “the freedom and privilege of parliament, and been thanked
 “for it? And shall it be called mutiny in the gravest and
 “best citizens of London, in the gentry and commonalty
 “of Kent, to frame petitions upon these grounds^k, and to
 “desire

^k The petitions here mentioned, from London and Kent, were about the militia. For the London petition, George Binion, a rich citizen, was committed to prison: where, after he had lain some time, the lords bailed him; but the commons committed him again the next day.—When the Kentish petition was brought, which was by some gen-

tlemen of that county, with a great number of the substantial inhabitants, the city of London was put in arms; strong guards placed at London-bridge, where the petitioners were disarmed, and only some few suffered to pass with their petition to Westminster. Upon the delivery thereof to the house of commons, the bringers of the petition were

CHAR. L. "desire to be governed by the known laws of the land,
1642. "not by orders or votes of either, or both houses? Can

"this be thought the wisdom and justice of both houses of
"parliament? Is it not evidently the work of a faction
"within or without both houses, who receive the trust re-
"posed in them, and have now told us, what mutiny is?
"To stir up men to a care of preserving our prerogative,
"maintaining the discipline of the church, upholding and
"continuing the reverence and solemnity of God's service,
"encouraging of learning, is mutiny. Let heaven and
"earth, God and man, judge between us and these men.
"And however such petitions are there called mutinous,
"and the petitioners threatened, discountenanced, censured,
"and imprisoned; if they bring such lawful petitions to us,
"we will graciously receive them, and defend them and
"their rights against what power soever, with the uttermost
"hazard of our being.

"We have been the longer (to our very great pain) in
"this answer, that we might give the world satisfaction,
"even in the most trivial particulars which have been ob-
"jected against us; and that we may not be again reproach-
"ed with any more prudent omissions. If we have been
"compelled to sharper language than we affect, let it be
"considered, how vile, how insufferable, our provocations
"have been: and except to repel force, be to assault, and
"to give punctual and necessary answers to rough and in-
"solent demands, be to make invectives, we are confident
"the world will accuse us of too much mildness, and all
"our good subjects will think we are not well dealt with,
"and will judge of us, and of their own happiness and se-
"curity in us, by our actions; which we desire may no
"longer prosper, or have a blessing from God upon them
"and us, than they shall be directed to the glory of God,
"in the maintenance of the true Protestant profession, to
"the preservation of the property, and the liberty of the
"subject, in the observation of the laws, and to the main-
"tainance of the rights and freedom of parliament, in the
"allowance and protection of all their just privileges."

After

were sharply reprehended; two or three of them committed to several prisons; the principal gentlemen of the county, who had subscribed and desired it, sent for as delinquents; charges and impeachments drawn up against them; and a declaration pub-

lished, "That whosoever should
"henceforth advise, or contrive the
"like petitions, should be proceeded
"against as enemies to the common-
"wealth. Clarendon, Tom. I. p.
381, 382.

After all these papers in this second part of the reign of CHAR. I. Charles I. one should, it seems, have a perfect knowledge 1642. of the differences between the king and the parliament, and the subject be exhausted. Nevertheless, if the reader should keep to the papers published on both sides, he would not have a very clear idea of the cause of these differences. To this end he must understand the motives which they took care not to discover in their manifestos, published only with design to gain the approbation of the people. The following deduction, will, in my opinion, serve to give a clear and plain idea of these differences. I shall say nothing but what has been said in several places, and yet, I believe, it will not be superfluous, briefly to recapitulate the whole, which may be of service to show the grounds and causes of the civil wars.

Explication
of the differ-
ences be-
tween the
king and
parliament.

It must be laid down as an undeniable fact, after what has been said, that the king had formed a design to establish an arbitrary government in England. They who deny this, have only to seek in their imagination a more natural cause of the people's discontent against his government. But it is certain, whatever their system may be, they will never be able, without this, so to reconcile it with the events as to satisfy the impartial. The four preceding parliaments considered all the king's proceedings, from the beginning of his reign, as tending to establish an absolute power. This was what they called their grievances, the redress whereof they had frequently, tho' in vain, demanded.

Charles I. inherited the king his father's mortal aversion to the puritans or presbyterians. He was, like him, persuaded that their principles concerning church-government, were directly opposite to monarchy. They both went still farther. They believed not only, that all the puritans were antimonarchical, but also, that all those who were against a despotic power were truly puritans. This made Charles I. resolve to ruin such as were not submissive enough to his will, by confounding them all under the name of puritans. To that purpose he admitted into his council and public-offices, such only as were of his principles. Hence sprung all the severities exercised by the council, the star-chamber, the high-commission, the judges, and all the magistrates, upon those that, according to the notions of the court, were infected with puritanism, though many of these men were sincerely attached to the church of England. Herein the king, contrary to his intention, did a very considerable service to the true presbyterians, since he confounded their interests

CHAR. I. interests with those of a great number of people, who otherwise would have had no inclination to presbyterianism. The
1642.

truth is, they were both threatened with the same destruction. And therefore, in the elections for this last parliament, many were returned of contrary principles to the king and court. Among these, the presbyterians were the most ardent, perceiving their ruin was determined, and would soon approach if the king succeeded in his designs. Thus, the presbyterian-party, which before made an inconsiderable figure in the kingdom, grew very powerful by the junction of the other sort of puritans, whom the court was pleased to confound with them.

On the other hand, archbishop Laud and some of the court-bishops, devised a means, which could not fail to afford them occasions to persecute the puritans. This was to enjoin with great rigour the observances of certain practices, which most people looked upon as indifferent. Nay, they added sundry innovations, which offended not only the presbyterians, but also many church-of-England-men. This produced great murmurs. But people were not satisfied with complaining, they openly disobeyed, and their disobedience afforded a pretence to punishment. Hereby the bishops, who were the chief authors of these innovations, made themselves so odious, that many believed to have just reason to suspect a design to restore the popish religion, since the establishment of these innovations was so ardently pursued, which seemed to tend only to draw the church of England nearer to that of Rome. If to this discontent be added that occasioned by the king's government with regard to the liberties of the people and the privileges of the parliament, it will not be difficult to conceive, that the nation in general was extremely dissatisfied.

Though, in this last parliament there were many presbyterians for the reason above-mentioned, they were not however strong enough to form a party capable of opposing that of the church, had they at first discovered their intentions. So, it may be affirmed, that in general the design of this parliament, when they met, was not to overthrow the church of England, and establish presbyterianism in its room, though it can scarce be doubted, that this was the private aim of the presbyterians. But as their numbers was too small to oppose all the rest of the parliament, they resolved to join with the opposite party to the king, for procuring the redress of grievances. Among these grievances, some concerned religion, as the innovations which offended the
church.

church-men no less than the presbyterians themselves. Upon CHAR. I.
1642. that subject, these scrupled not to declaim strenuously when occasion offered; and to represent these grievances as being of very dangerous consequence. They could do it without discovering themselves too openly, because, as I said, most of the members of parliament were already prejudiced against the innovations and the conduct of the bishops. As the king was extremely zealous for the church of England, and in the number of those who considered the innovations and some other trifles as necessary to the solemnity of the public worship, he opposed their suppression as much as possible, not directly, but by means of the bishops, popish lords, and others of his party. Wherefore the presbyterians endeavoured to convince all the rest of the contrary party, that as long as the bishops should sit in the house of lords, it would be almost impossible to obtain an entire redress of grievances. The house of commons persisted therefore in so ordering it, that the bishops votes should be taken away, wherein they met with great obstacles. But at length, by means of the tumults they frightened them away, and induced them to present the protestation, which occasioned the sending of twelve of them to the Tower. By the same means, the popish lords were also forced to absent themselves from the parliament. From that time the king's party became very weak, and the presbyterians acquired new strength.

Afterwards, the presbyterian party having gained so much ground, diligently applied themselves to cherish the dissention between the king and the parliament. It was they that caused the remonstrance of the state of the kingdom to be passed, which was presented to the king at his return from Scotland, and was as the signal of the rupture. Unhappily, there was in the presbyterian party, another party which concealed themselves, and were afterwards known by the name of *Independents*. This party, as they could not accomplish their secret designs without disorder and confusion, affected a rigid presbyterianism, and strove to carry things to extremities, under colour of maintaining presbyterianism, though in truth their intention was to destroy it as well as the church of England.

Mean while, the king retiring to York, and perceiving a war unavoidable, sent private notice to all whom he thought his friends in both houses, to leave the parliament and retire to York or elsewhere. Many obeyed, and by their retreat, the presbyterian-party became superior in the two houses.

CHAR. I. houses. Before that time, when any thing was moved by
 1642. the presbyterians, tending to the subversion of the church
 of England, those who had any regard for the church did
 not fail to oppose it, and of this number were all the king's
 friends. But as soon as these were retired, the presbyterian-
 party, by their superiority in both houses, passed whatever
 they pleased. This is what the king observed in several
 passages of his answer. Thus, the presbyterian-party pre-
 vailing in both houses, and secretly intending to alter the
 church-government, but the thing being impracticable so
 long as the king should preserve his power, it is evident,
 that according to this project it was the parliament's interest,
 which was directed by the presbyterians, carefully to avoid
 whatever tended to an accommodation, which would have
 broken all their measures. But they took care not to dis-
 cover intirely their designs. It was not yet time, till they
 had put it out of the king's power to prevent the execution.
 So, though they rendered their fears and jealousies of the
 king as plausible as possible, and though it be granted, they
 had reason to suspect and fear, there is however room to
 think that the danger they represented as being so near and
 imminent, was not so real as they pretended. Their grand
 aim, was to induce the king to begin the breach, wherein
 the king seems not to have soon enough perceived the snare
 that was laid for him.

As for the king, it is almost impossible to know perfectly
 his secret motives and intentions, because, since the opening
 of the parliament, it had never been in his power to show
 them evidently by any effects. It is true, he gave his assent
 to several advantageous bills to the people, and thereby
 seemed to express a kind of repentance for his past conduct.
 But his situation, when he passed these acts, made it doubt-
 ful, whether he sincerely consented to the redress of griev-
 ances, or whether it was only to accommodate himself to
 the times. He assured, that his intentions was to govern
 for the future according to law, and called God to witness
 his sincerity. But they would not rely on his word. Thus
 much is certain, that whatever he said or did in favour of
 the laws, was little agreeable to the principles he had fol-
 lowed for fifteen years. If any were persuaded, that his
 asseverations and promises were sufficient for the nation's
 security, others thought to have just cause to question their
 sincerity, because they came at a time when he had no other
 refuge than the laws to support himself, nor other means
 than his promise to observe them, to hinder the whole na-
 tion

tion from entirely deserting him. I shall not pretend to de- CHAR. L
 side so difficult a question, which is beyond human reach, 1642.
 there being none but God alone who knows perfectly what
 passes in the heart. I believe it rash to affirm, that Charles I.
 was not sincere in his promises. But I believe also, his sin-
 cerity may be doubted, since he had never opportunity to
 demonstrate it by effects.

Whatever was the king's private intention, he fully per-
 ceived that of the prevailing party in the parliament, and
 saw that force alone could free him from his danger. His
 proposals for an agreement were rejected, and his promises
 to keep the laws for the future considered as so many snares,
 and unfortunately for him he had given but too much cause
 for distrust. He could not disown it with respect to what
 had passed before this parliament; and even during this
 parliament, he had taken some steps, which his enemies
 knew how to turn to their advantage. Such was the plot
 to seduce the army, in which probably he was concerned,
 though he could affirm, he knew of no resolution to bring
 up the army to London. Such was the accusation of the
 six members of parliament, which could not but breed a
 suspicion of some hidden design. The project to secure Hull,
 his withdrawing to York, the queen's voyage into Holland,
 the motive whereof was discovered in time, were things that
 helped not to cure the people's suspicions. So both houses
 steadily keeping to the occasions of jealousy, fear and distrust,
 which they had, or pretended to have of the king, made
 use of them to convince the people, that there was no de-
 pending on his promise, unless it was put out of his power
 to break them. This occasioned the affair of the militia,
 on account of which the king was drawn into a strait,
 from whence he could not get clear. For, by granting
 the militia, he would himself have been subservient to the
 execution of the parliament's designs, and by refusing it, he
 gave occasion to say, he was willing to agree with both
 houses, without giving them other security than his word,
 which, as they pretended, could not be relied on. It is
 also true, that the king would not recede from any of his
 rights, neither would he offer other assurance than his word,
 to satisfy the parliament.

After what has been seen, it will not be hard to perceive
 the ground of the quarrel, and the difficulties of an accom-
 modation. That concerning the government of the church,
 was one of the principal, though it may not be clearly ex-
 plained in the manifestos of both parties. If the king's in-
 terests

CHAR. I. interests had been solely in question, perhaps he would have agreed to some concessions, at least, for a time. But he found, that one chief reason of his enemies desiring to lessen his authority, was the more easily to accomplish a change in the ecclesiastical government, which he thought himself bound in conscience to oppose to the utmost of his power. He was so strongly, and so sincerely attached to the church of England, that he looked upon any condescension which might tend to her ruin, as the blackest crime he could be guilty of, and persisted in this opinion, even when his affairs were grown desperate. All his counsellors were of the same principles. They believed the episcopal government of the church so absolutely necessary, that a church without bishops was no true church in their opinion. On the other hand, the presbyterians were no less possessed with their notions, and without distinguishing what is essential in religion from what is only external, they considered the usages and practices of the church of England as a sort of popery. Besides, they were so convinced of the king's enmity to them, that they could not think themselves safe, so long as it was in his power to oppress them. Matters standing thus, it is evident, that force of arms alone was capable of obliging one or other party to yield.

The earl of Bristol in vain proposes an accommodation, May 20. Rushworth, IV. p. 714.

A war being almost unavoidable, the earl of Bristol, tho' he had no great reason to be pleased with the king, made his last effort to procure an accommodation, by a speech in the house of peers. He represented, that the thing was not impossible, if it was sincerely endeavoured. After having enumerated all the mischiefs of a civil war, and the calamities it is usually attended with, he moved to appoint a select committee of both houses, truly to state all the differences betwixt the king and the parliament, with the most probable ways of reconciling them; what the king ought to do to satisfy the people, and what security he should give. He added several other things, which plainly showed, he inclined to the king's side, and because, withal, he mentioned religion but very slightly and in general terms, his speech had no great effect.

The same, or the next day, the commons voted :

The commons votes. Id. p. 717. Clarendon, T. I. p. 418. T. May.

“ 1. That it appeared, that the king, seduced by wicked counsels, intended to make war against the parliament, “ who, in all their consultations and actions, had proposed “ no other end unto themselves, but the care of his kingdoms, and the performance of all duty and loyalty to his “ person.

“ 2. That

"2. That whensoever the king made war upon the parliament, it would be a breach of the trust reposed in him by his people, contrary to his oath, and tending to the dissolution of the government. CHAR. I. 1642.

"3. That whosoever shall serve or assist him in such wars, would be traitors by the fundamental laws of the kingdom; and had been, so judged by two acts of parliament, and ought to suffer as traitors, 11 Rich. II. "1 Hen. IV." ¹.

May the 22d, the lord-keeper Littleton delivered the great-seal to be carried to the king, and followed it himself the next morning, before the parliament had any knowledge of it. The king gets the great-seal. Ib. p. 713. Clarendon, T. I. p. 442, &c.

The 23d, both houses sent a petition to the king, to disband his forces, and to disband the horse and foot raised under colour of a guard for his person. They told him, if he did not dismiss these forces, they should be obliged to preserve the peace of the kingdom by the most proper means. The king returned a very sharp answer to this petition, reproaching both houses, that they had raised a guard for themselves, and ordered the sheriffs to oppose with the power of the counties, such as should be drawn together by the king's command ². The parliament's petition to the king to disband his forces. Rushworth, IV. p. 719. May 23. The king's answer. Id. p. 720. Clarendon, T. I. p. 418.

A war, as I said, was resolved on both sides; but each still proceeded with some caution, in order to cast the blame on the contrary party. For, in a civil war, it is chiefly the people that are wanted, because in them lies the strength of the two parties. The earl of Bristol, in his speech to the lords the 20th of May, observed, that it was not impossible to propound and settle the differences betwixt the king and the parliament; but that the great difficulty consisted in finding such security, as might stand with the king's honour, and the people's satisfaction. He chiefly insisted upon this, that the king offering to give reasonable security, they were not to reject the offer, and charge themselves with the events of a war. As this offer, though made in very general terms, appeared plausible, the parliament was apprehensive it would make some impression on the people. And therefore they judged it necessary to shew that the king, by this general offer, did however offer only his word for security,

¹ These votes were passed before the king's answer to the parliament's manifesto, and therefore are mentioned by him in that answer. Rapin.

² This order was dated May 17, and was repeated again May 23, together

with an order to all high-sheriffs, justices of peace, and other officers, within one hundred and fifty miles of York; to stay all arms and ammunition going to that city. Rushworth, Tom. IV. p. 721, 722.

CHAR. I. which could not be a firm foundation of a good agreement.
1642. To this end, they sent him, the 2d of June, nineteen propo-

Nineteen
propositions
sent to the
king by the
parliament,
June 2.

Rushworth,

IV. p. 722.

Clarendon,

T. I. p. 493,
&c.

T. May.

sitions, which they considered as proper to establish a good peace and strict union between the king and the parliament.

The propositions were these :

“ 1. That the lords, and others of your majesty’s privy-council, and such great officers and ministers of state, either at home or beyond the seas, may be put from your privy-council, and from those officers and employments, excepting such as shall be approved of by both houses of parliament ; and that the persons put into the places and employments of those that are removed, may be approved of by both houses of parliament : and that the privy-council shall take an oath for the due execution of their places, in such forms as shall be agreed upon by both houses of parliament.

“ 2. That the great affairs of this kingdom may not be concluded or transacted by the advice of private men, or by any unknown or unsworn counsellors, but that such matters as concern the public, and are proper for the high-court of parliament, which is your majesty’s great and supreme council, may be debated, resolved, and transacted only in parliament, and not elsewhere ; and such as shall presume to do any thing to the contrary, shall be reserved to the censure and judgment of parliament ; and such other matters of state, as are proper for your majesty’s privy-council, shall be debated and concluded by such of the nobility and others, as shall from time to time be chosen for that place, by approbation of both houses of parliament : and that no public act concerning the affairs of the kingdom, which are proper for your privy-council, may be esteemed of any validity, as proceeding from the royal authority, unless it be done by the advice and consent of the major part of the council, attested under their hands ; and that your council may be limited to a certain number, not exceeding five and twenty, nor under fifteen. And if any counsellor’s place happen to be void in the interval of parliament, it shall not be supplied without the assent of the major part of the council ; which choice shall be confirmed, at the next sitting of parliament, or else to be void.

“ 3. That the lord high-steward of England, lord high-constable, lord-chancellor, or lord-keeper of the great-seal, lord-treasurer, lord privy-seal, earl-marshal, lord-admiral, warden of the cinque-ports, chief governor of
“ Ireland,

“ Ireland, chancellor of the exchequer, master of the wards, CHAR. I.
 “ secretaries of state, two chief-justices and chief-baron, 1642.
 “ may always be chosen with the approbation of both houses
 “ of parliament, and, in the intervals of parliament, by
 “ assent of the major part of the council, in such manner
 “ as is before expressed in the choice of counsellors.

“ 4. That he or they, unto whom the government and
 “ education of the king's children shall be committed, shall
 “ be approved of by both houses of parliament; and, in
 “ the intervals of parliament, by the assent of the major
 “ part of the council, in such manner as is before expressed
 “ in the choice of counsellors; and that all such servants as
 “ are now about them, against whom both houses shall
 “ have any just exceptions, shall be removed.

“ 5. That no marriage shall be concluded, or treated for
 “ any of the king's children, with any foreign prince or
 “ other person whatsoever, abroad or at home, without the
 “ consent of parliament, under the penalty of a *premunire*,
 “ upon such as should conclude, or treat of any marriage
 “ as aforesaid; and that the said penalty shall not be par-
 “ doned or dispensed with, but by the consent of both
 “ houses of parliament.

“ 6. That the laws in force against jesuits, priests, and
 “ popish recusants, be strictly put in execution, without any
 “ toleration or dispensation to the contrary; and that some
 “ more effectual course may be enacted by authority of
 “ parliament, to disable them from making any disturbance
 “ in the state, or eluding the law by trusts, or otherwise.

“ 7. That the votes of popish Lords in the house of peers
 “ may be taken away, so long as they continue papists;
 “ and that your majesty will consent to such a bill as shall
 “ be drawn, for the education of the children of papists by
 “ protestants, in the protestant religion.

“ 8. That your majesty will be pleased to consent, that
 “ such a reformation be made of the church-government,
 “ and liturgy, as both houses of parliament shall advise;
 “ wherein they intend to have consultations with divines,
 “ as is expressed in their declaration to that purpose; and
 “ that your majesty will contribute your best assistance to
 “ them, for the raising of a sufficient maintenance for
 “ preaching-ministers through the kingdom; and that your
 “ majesty will be pleased to give your consent to laws, for
 “ the taking away of innovations and superstition, and plu-
 “ ralities, and against scandalous ministers.

CHAR. I.

1642.

“ 9. That your majesty will be pleased to rest satisfied
 “ with that course that the lords and commons have appointed for the ordering of the militia, until the same shall
 “ be farther settled by a bill, and that your majesty will
 “ recall your declarations and proclamations against the
 “ ordinance made by the lords and commons concerning
 “ it.

“ 10. That such members of either house of parliament,
 “ as have, during the present parliament, been put out of
 “ any place or office, may either be restored to that place
 “ and office, or otherwise have satisfaction made for the
 “ same, upon the petition of that house, whereof he or
 “ they are members.

“ 11. That all privy-counsellors and judges may take an
 “ oath, the form whereof to be agreed on, and settled by
 “ act of parliament, for the maintaining of the petition of
 “ right, and of certain statutes made by the parliament,
 “ which shall be mentioned by both houses of parliament;
 “ and that an enquiry of all the breaches and violations of
 “ those laws may be given in charge, by the justices of the
 “ King's-bench every term, and by the judges of assize in
 “ their circuits, and justices of the peace at the sessions, to
 “ be presented and punished according to law.

“ 12. That all the judges, and all the officers placed by
 “ approbation of both houses of parliament, may hold their
 “ places, *quamdiu bene se gesserint*.

“ 13. That the justice of parliament may pass upon all
 “ delinquents, whether they be within the kingdom, or fled
 “ out of it; and that all persons cited by either house of parliament, may appear and abide the censure of parliament.

“ 14. That the general pardon offered by your majesty
 “ may be granted, with such exceptions as shall be advised
 “ by both houses of parliament.

“ 15. That the forts and castles of this kingdom may
 “ be put under the command and custody of such persons as
 “ your majesty shall appoint, with the approbation of your
 “ parliament; and in the intervals of parliament, with the
 “ approbation of the major part of the council, in such
 “ manner as is before expressed in the choice of counsellors.

“ 16. That the extraordinary guards, and military forces
 “ now attending your majesty, may be removed and discharged; and that for the future you will raise no such
 “ guards or extraordinary forces, but according to the law,
 “ in case of actual rebellion or invasion.

“ 17.

“ 17. That your majesty will be pleased to enter into a CHAR. I.
1642.
 “ more strict alliance with the states of the United Pro-
 “ vinces, and other neighbour princes and states of the pro-
 “ testant religion, for the defence and maintenance thereof,
 “ against all designs and attempts of the pope and his adhe-
 “ rents to subvert and suppress it, whereby your majesty
 “ will obtain a great access of strength and reputation, and
 “ your subjects be much encouraged and enabled in a par-
 “ liamentary way, for your aid and assistance, in restoring
 “ your royal sister and her princely issue to those dignities
 “ and dominions which belong unto them, and relieving
 “ the other protestant princes who have suffered in the same
 “ cause.

“ 18. That your majesty will be pleased, by act of par-
 “ liament, to clear the lord Kimbolton, and the five mem-
 “ bers of the house of commons, in such manner, that fu-
 “ ture parliaments may be secured from the consequence of
 “ that evil precedent.

“ 19. That your majesty will graciously be pleased to pass
 “ a bill, for restraining peers made hereafter, from sitting or
 “ voting in parliament, unless they be admitted thereunto
 “ with the consent of both houses of parliament.

“ And these our humble desires being granted by your
 “ majesty, we shall forthwith apply ourselves to regulate
 “ your present revenue, in such sort as may be for your
 “ best advantage; and likewise to settle such an ordinary
 “ and constant increase of it, as shall be sufficient to sup-
 “ port your royal dignity in honour and plenty, beyond the
 “ proportion of any former grants of the subjects of this
 “ kingdom, to your majesty's royal predecessors. We
 “ shall likewise put the town of Hull into such hands as your
 “ majesty shall appoint, with the consent and approbation
 “ of parliament, and deliver up a just account of all the
 “ magazine; and chearfully imploy the uttermost of our
 “ power and endeavours in the real expression and perform-
 “ ance of our most dutiful and loyal affections, to the pre-
 “ serving and maintaining the royal honour, greatness and
 “ safety of your majesty and your posterity.”

The king made to these propositions, a long answer, that
 is to say, with so long periods, and so frequent parentheses,
 that it is no easy task to translate it without losing something
 of its force.”

CHAR. I.

1642.

Rushworth, " IV. p. 725.
Clarendon, T. I. p. 493,
&c.

The king's answer to the nineteen propositions.

" B Efore we shall give you our answer to your petition
" and propositions, we shall tell you, that we are now
" clearly satisfied, why the method which we traced out
" to you by our message of the 20th of January, and have
" since so often pressed upon you, as the proper way to
" compose the distractions of this kingdom, and render it
" truly happy, hath been hitherto declined, and is at length
" not thought fit to be looked upon. We now see plainly,
" (and desire that you and all other our good subjects should
" do so too) that the cabalists of this business have with
" great prudence reserved themselves, until due prepara-
" tions should be made for their design. If they had un-
" seasonably vented such propositions, as the wisdom and
" modesty of your predecessors never thought fit to offer to
" any of our progenitors; nor we in honour or regard to
" our regal authority (which God hath intrusted us with
" for the good of our people) could receive without just in-
" dignation (and such many of your present propositions
" are) their hopes would soon have been blasted, and those
" persons, to whom offices, honours, power, and com-
" mands were designed, by such ill-timing of their busi-
" ness, would have failed of their expectation, not without
" a brand upon the attempt. Therefore, before any thing
" of this nature should appear, they have (certainly, with
" great wisdom in the conduct of it) thought fit to remove
" a troublesome rub in their way, the law, to this end,
" (that they might undermine the very foundations of it) a
" new power hath been assumed to interpret and declare
" laws without us by extemporary votes, without any case
" judicially before either house, (which is in effect the same
" thing as to make laws without us :) orders and ordinances
" made only by both houses, (tending to a pure arbitrary
" power) were pressed upon the people as laws, and their
" obedience required to them.

" Their next step was, to erect an upstart authority
" without us (in whom, and only in whom the laws of
" this realm have placed that power) to command the mili-
" tia, (very considerable to this their design.) In farther
" order to it, they have wrested from us our magazine and
" town of Hull, and abetted Sir John Hotham in his bold-
" faced treason. They have prepared, and directed to the
" people, unprecedented invectives against our government,
" thereby (as much as lay in their power) to weaken our
" just

“just authority and due esteem among them; they have, CHAR. I.
 “as injuriously, as presumptuously, (though we conceive 1642.
 “by this time, impudence itself is ashamed of it) attempted
 “to cast upon us aspersions of an unheard-of nature, as if
 “we had favoured a rebellion in our own bowels. They
 “have likewise broached a new doctrine, that we are
 “obliged to pass all laws that shall be offered to us by both
 “houses, (howsoever our own judgment and conscience
 “shall be unsatisfied with them) a point of policy as proper
 “for their present business, as destructive to all our rights
 “of parliament, and so with strange shamelessness will for-
 “get a clause in law still in force, made in the second year
 “of king Henry V. wherein both houses of parliament do
 “acknowledge, that it is of the king’s regality to grant or
 “deny such of their petitions as pleaseth himself. They
 “have interpreted our necessary guard, legally assembled,
 “for the defence of us and our childrens persons, against
 “a traitor in open rebellion against us, to be with intent
 “to levy war against the parliament, (the thought whereof
 “our very soul abhorreth) thereby to render us odious to
 “our people.

“They have so awed our good subjects with pursuivants,
 “long chargeable attendances, heavy censures, and illegal
 “imprisonments, that few of them durst offer to present
 “their tenderness of our sufferings, their own just grie-
 “vances, and their sense of those violations of the law, (the
 “birth-right of every subject in this kingdom) tho’ in an
 “humble petition directed to both houses; and if any did,
 “it was stifled in the birth, called sedition, and burnt by
 “the common hangman.

“They have restrained the attendance of our ordinary
 “and necessary household servants, and seized upon those
 “small sums of money, which our credit had provided to
 “buy us bread, with injunctions that none should be suf-
 “fered to be conveyed, or returned to us to York, or any
 “of our peers or servants with us; so that (in effect) they
 “have blocked us up in that county.

“They have filled the ears of the people with the noise
 “of fears and jealousies, (though taken up upon trust) tales
 “of skippers, salt-fleets, and such like, by which alarms
 “they might prepare them to receive such impressions as
 “might best advance this design when it should be ripe.
 “And now it seems they think we are sufficiently prepared
 “for these bitter pills. We are in a handsome posture to

E 4

“ receive

CHAR. I. 1642. " receive these humble desires (which probably are intended
 " to make way for a superfetation of a (yet) higher nature
 " if we had not made this discovery to you) for they do not
 " tell us this is all. In them we must observe, that these
 " contrivers (the better to advance their true ends) disguised
 " as much as they could their intents, with a mixture of
 " some things really to be approved by every honest man ;
 " others, specious and popular ; and some which are al-
 " ready granted by us, all which are cunningly twisted and
 " mixed, with those other things of their main design of
 " ambition and private interest ; in hope that at the first
 " view, every eye may not so clearly discern them in their
 " proper colours.

" We would not be understood, that we intend to fix
 " this design upon both or either house of parliament : we
 " utterly profess against it, being most confident of the loy-
 " alty, good affection, and integrity of the intentions of
 " that great body ; and knowing well, that very many of
 " both houses were absent, and many dissented from all
 " those particulars we complain of : but we do believe, and
 " accordingly profess to all the world, that the malignity
 " of this design (as dangerous to the laws of this kingdom,
 " the peace of the same, and the liberties of all our good
 " subjects, as to ourself and our just prerogative) hath pro-
 " ceeded from the subtle informations, mischievous practices,
 " and evil counsels of ambitious turbulent spirits, disaffected
 " to God's true religion, and the unity of the professors
 " thereof, our honour and safety, and the public peace
 " and prosperity of our people, not without a strong in-
 " fluence upon the very actions of both houses. But how
 " faulty soever others are, we shall (with God's assistance)
 " endeavour to discharge our duty with uprightness of heart ;
 " and therefore, since these propositions come to us in the
 " name of both houses of parliament, we shall take a more
 " particular notice of every of them.

" If the 1st, 2d, 3d, 4th, 5th, 9th, 10th, 15th, 16th,
 " 19th demands, had been writ and printed in a tongue
 " unknown to us and our people, it might have been possi-
 " ble we and they might have charitably believed the pro-
 " positions to be such, as might have been in order to the
 " ends pretended in the petition (to wit) the establishing of
 " our honour and safety, the welfare and security of our
 " subjects and dominions, and the removing those jealousies
 " and differences, which are said to have unhappily fallen
 " betwixt us and our people, and procuring both us and
 " them

"them a constant course of honour, peace, and happiness: CHAR. I.
 "but being read and understood by all, we cannot but as- 1642.
 "sure ourself, that this profession, joined to these proposi-
 "tions, will rather appear a mockery and a scorn, the
 "demands being such; as though we were unworthy of
 "the trust reposed in us by the law, and of our descent
 "from so many great and famous ancestors, if we could be
 "brought to abandon that power, which only can enable
 "us to perform what we are sworn to, in protecting our
 "people and the laws, and so assume others into it, as to
 "divest ourself of it, although not only our present condi-
 "tion (which it can hardly be) were more necessitous than
 "it is, and we were both vanquished, and a prisoner, and
 "in a worse condition than ever the most unfortunate of
 "our predecessors have been reduced to, by the most cri-
 "minal of their subjects. And though the bait laid to
 "draw us to it, and to keep our subjects from indignation
 "at the mention of it, the promises of a plentiful and un-
 "paralleled revenue were reduced from generals (which
 "signify nothing) to clear and certain particulars; since
 "such a bargain would have but too great a resemblance
 "of that of Esau's, if we should part with such flowers of
 "a crown, as are worth all the rest of the garland, and
 "have been transmitted to us from so many ancestors, and
 "have been found so useful and necessary for the welfare
 "and security of our subjects, for any present necessity, or
 "for any low and sordid considerations of wealth and gain.
 "and therefore all men knowing that those accommoda-
 "tions are most easily made, and most exactly observed,
 "that are grounded upon reasonable and equal conditions,
 "we have great cause to believe, that the contrivers of
 "these had no intention of settling any firm accommoda-
 "tion, but to increase those jealousies, and widen that di-
 "vision, which (not by our fault) is now unhappily fallen
 "between us and both houses.
 "It is asked, that all the lords and others of our privy-
 "council, and such (we know not what you mean by such,
 "but we have cause to think you mean all) great officers
 "and ministers of state, either at home or beyond the seas,
 "(for care is taken to leave out no person or place, that
 "our dishonour may be sure not to be bounded within this
 "kingdom, tho' no subtle insinuations at such a distance
 "can probably be believed to have been the cause of our
 "distractions and danger) should be put from our privy-
 "council, and from those offices, and employments, unless
 "they

CHAR. I. 1642. "they be approved by both houses of parliament, how faithful soever we have found them to us and the public, and how far soever they have been from offending against any law, the only rule they had, or any others ought to have, to walk by. We therefore to this part of this demand, return you this answer, that we are willing to grant, that they shall take a larger oath than yourselves desire in your 11th demand, for maintaining not of any part, but of the whole law. (1.)

REMARK (1.) This is said, because in the whole body of the law were contained those laws, which ascribed to the king the prerogatives they had a mind to deprive him of.

"And we have and do assure you, that we will be careful to make election of such persons in those places of trust, as shall have given good testimony of their abilities and integrities, and against whom there can be no just cause of exception, whereon reasonably to ground a diffidence; that if we have or shall be mistaken in our election, we have and do assure you, that there is no man so near to us in place or affection, whom we will not leave to the justice of the law, if you shall bring a particular charge and sufficient proofs against him; and that we have given you (the best pledge of the effects of such a promise on our part, and the best security for the performance of their duty on theirs) a triennial parliament, the apprehension of whose justice will, in all probability, make them wary how they provoke it, as us wary how we charge such, as by the discovery of their faults may in any degree seem to discredit our election, but that without any shadow of a fault objected, only perhaps because they follow their consciences, and preserve the established laws, and agree not in such votes, or assent not unto such bills, as some persons, who have now too great an influence even upon both houses, judge, or seem to judge to be for the public good, and as are agreeable to that new *Utopia* of religion and government, into which they endeavour to transform this kingdom. (2.)

REM. (2.) This alludes to Sir Thomas Moor's *Utopia*.

"For we remember what names, and for what reasons, you left out in the bill offered us concerning the militia, which you had yourselves recommended in the ordinance. We will never consent to the displacing of any, whom, for their former merits from, and affection to us and the public, we have intrusted; since we conceive, that to do so would take away both from the affection of our
servants,

"servants, the care of our service, and the honour of our CHAR. I.
 "justice; and we the more wonder it should be asked by 1642.

"you of us, since it appears by the 12th demand, that you
 "yourself count it reasonable, after the present turn is
 "served, that the judges and officers who are then placed,
 "may hold their places *quandiu se bene gesserint*; and we are
 "resolved to be as careful of those we have chosen, as you
 "are of those you would choose, and to remove none till
 "they appear to us to have otherwise behaved themselves,
 "or shall be evicted by legal proceedings to have done so.

"But this demand, as unreasonable as it is, is but one
 "link of a great chain, and but the first round of that lad-
 "der, by which our just, ancient, regal power, is endea-
 "voured to be fetched down to the Ground. For it appears
 "plainly, that it is not with the persons now chosen, but
 "with our choosing, that you are displeased; for you de-
 "mand, that the persons put into the places and employ-
 "ments of those who shall be removed, may be approved
 "by both houses; which is so far (as to some at first sight
 "it may appear) from being less than the power of nomi-
 "nation, that of two things (of which we will never grant
 "either) we would sooner be content, that you should no-
 "minate, and we approve, than you approve, and we no-
 "minate; the mere nomination being so far from being
 "any thing, that if we could do no more, we would never
 "take the pains to do that, when we should only hazard
 "those whom we esteemed, to the scorn of a refusal, if
 "they happened not to be agreeable, not only to the judg-
 "ment, but to the passion, interest, or humour, of the
 "present major part of either house.

"Not to speak now of the great factions, animosities,
 "and divisions, which this power would introduce in both
 "houses, between both houses, and in the several counties,
 "for the choice of persons to be sent to that place where
 "that power was, and between those persons that were so
 "chosen. Neither is this strange potion presented to us
 "only for once, for the cure of a present pressing desperate
 "disease, but for a diet to us and our posterity: it is de-
 "manded, that our counsellors, all chief officers, both of
 "law and state, commanders of forts and castles, and all
 "peers hereafter made (as to voting, without which, how
 "little is the rest!) be approved of (that is, chosen) by
 "them from time to time; and rather than it should ever
 "be left to the crown, to whom it doth and shall belong)
 "if any place fall void in the intermission of parliament, the
 "major

CHAR. I. "major part of the approved council is to approve them ;
1642. "neither is it only demanded, that we should quit the

"power and right our predeceffors have had, of appointing
persons in these places, but for counsellors we are to be
restrained, as well in the number as in the persons, and
"a power must be annexed to these places, which their
predeceffors had not ; and indeed, if this power was passed
to them, it were not fit we should be trusted to chuse
those who were to be trusted as much as we.

"It is demanded, that such matters as concern the pub-
lic, and are proper for the high-court of parliament,
" (which is our great and supreme council) may be de-
bated, resolved, and transacted, only in parliament, and
not elsewhere ; and such as presume to do any thing to
the contrary, shall be reserved to the censure and judg-
ment of the parliament ; and such other matters of state,
as are proper for our privy-council, shall be debated and
concluded, by such of our nobility, (tho' indeed, it being
made by us, they may not vote without the consent of
both houses, we are rather to call them your nobility)
and others, as shall be from time to time chosen for that
place, by approbation of both houses of parliament ; and
that no public act concerning the affairs of the kingdom,
which are proper for our privy-council, may be esteemed
of any validity, as proceeding from the royal authority,
unless it be done by the advice and consent of the major
part of our council, attested under their hands ; which
demands were of that nature, that to grant them, were
in effect, at once to depose both ourself, and our poste-
rity.

"These being past, we may be waited on bare-headed,
" we may have our hand kissed, the stile of majesty conti-
nued to us, and the king's authority declared by both
houses of parliament, may be still the stile of your com-
mands ; we may have swords and maces carried before us,
and please ourself with the sight of a crown and scepter ;
" (and yet even these twigs would nat long flourish, when
the stock upon which they grew were dead) but as to
true and real power, we should remain but the outside,
but the picture, but the sign of a king. We were
ever willing that our parliament should debate, re-
solve, and transact, such matters as are proper for them,
as far as they are proper for them, and we heartily
wish, that they would be as careful not to extend
their debates and resolutions, beyond what is proper
" to

" to them, that multitudes of things punishable, and CHAR. I.
 " causes determinable by the ordinary judicatures, may not 1642.
 " be entertained in parliament, and so cause a long, charge-
 " able, and fruitless attendance of our people, and (by de-
 " grees) draw to you, as well all the causes, as all the
 " faults, of Westminster-hall, and divert your proper busi-
 " ness: that the course of law be no ways diverted, much
 " less disturbed, as was actually done by the stop of the
 " proceedings against a riot in Southwark, by order of the
 " house of commons, in a time so riotous and tumultuous,
 " as much increased the danger of popular insolencies, by
 " such a countenance to riots, and discountenance of law:
 " that you descend not to the leisure of recommending
 " lectures to churches, nor ascend to the legislative power,
 " by commanding (the law not having yet commanded it)
 " that they whom you recommend be received, although
 " neither the parson nor bishop do approve of them; and
 " that the refusers (according to the course so much for-
 " merly complained of to have been used at the council-
 " table) be not sent for to attend to shew cause at least,
 " that you would consider conveniency, if not law, and
 " recommend none but who are well known to you to be
 " orthodox, learned, and moderate, or at least such as have
 " taken orders, and are not notorious depravers of the book
 " of common-prayer; a care which appeareth by the dis-
 " courses, sermons, and persons of some recommended by
 " you, not to have been hitherto taken; and it highly con-
 " cerns both you in duty, and the common-wealth in the
 " consequences, that it should have been taken: that nei-
 " ther one estate transact what is proper for two, nor two
 " what is proper for three; and consequently, that (con-
 " trary to our declared will) our forts may not be seized,
 " our arms may not be removed, our monies may not be
 " stopt, our legal directions may not be countermanded
 " by you, nor we desire to countermand them ourself; nor
 " such entrances made upon a real war against us, upon
 " pretence of an imaginary war against you, and a chimera
 " of necessity. So far do you pass beyond your limits,
 " whilst you seem by your demand, to be strangely straitned
 " within them; at least we could have wished, you would
 " have expressed what matters you meant as fit to be trans-
 " acted only in parliament, and what you meant by only
 " in parliament.
 " You have of late been persuaded, by the new doctrine
 " of some few, to think that proper for your debates, which
 " hath

CHAR. I. " hath not used to be at all debated within those walls, but
1642. " been trusted wholly with our predecessors and us; and to

transact those things, which, without the regal authority,
" since there were kings of this kingdom, were never trans-
" acted: it therefore concerns us the more, that you speak
" out, and that both we and our people may either know
" the bottom of your demands, or know them to be bot-
" tomless. What concerns more the public, and is more
" (indeed) proper for the high-court of parliament, than
" the making of laws, which not only ought there to be
" transacted, but can be transacted no where else? But
" then you must admit us to be a part of the parliament;
" you must not (as the sense is of this part of the demand,
" if it have any) deny the freedom of our answer, when
" we have as much right to reject what we think unreason-
" able, as you have to propose what you think convenient
" or necessary: nor is it possible our answers, either to bills,
" or any other propositions, should be wholly free, if we
" may not use the liberty of every one of you, and of every
" subject, to receive advice (without their danger who shall
" give it) from any person, known or unknown, sworn or
" unsworn, in these matters, in which the manage of our
" vote is trusted by the law, to our own judgment and con-
" science; which how best to inform, is (and ever shall be)
" left likewise to us: and most unreasonable it were, that
" two estates proposing something to the third, that third
" should be bound to take no advice, whether it were fit
" to pass, but from those two that did propose it. We
" shall ever in these things, which are trusted wholly to us
" by the law, not decline to hearken to the advice of our
" great council, and shall chuse to hear willingly the free
" debates of our privy-council, (whosoever we may be
" suffered to have them for sending for, and they shall not
" be terrified from that freedom by votes, and brands of
" malignants and enemies to the state, for advising what no
" law forbids to advise) but we will retain our power, of
" admitting no more to any council than the nature of the
" business requires, and of discoursing with whom we please,
" of what we please, and informing our understanding by
" debate with any persons, who may be well able to inform
" and advise us in some particulars, though their qualities,
" education, or other abilities, may not make them so fit
" to be of our sworn council; and not tie ourselves up not to
" hear any more than twenty-five (and these not chosen
" absolutely by us) out of a kingdom so replenished with
" judicious

judicious and experienced persons of several kinds. And CHAR. I.
 though we shall (with the proportionable consideration 1642.
 due to them) always weigh the advices both of our great
 and privy-council, yet we shall also look upon their advices
 as advices, not as commands or impositions; upon them
 as our counsellors, not as our tutors and guardians; and
 upon ourself as their king, not as their pupil or ward:
 for whatsoever of regality were, by the modesty of inter-
 pretation, left us, in the first part of the second demand,
 as to the parliament, is taken from us in the second part,
 of the same, and placed in this new-fangled kind of coun-
 sellors, whose power is such, and so expressed by it, that
 in all public acts concerning the affairs of this kingdom,
 which are proper for our privy-council, (for whose advice
 all public acts are sometimes proper, tho' never necessary)
 they are desired to be admitted joint-patentees with us in
 the regality; and it is not plainly expressed, whether they
 mean us so much as a single vote in these affairs; but it
 is plain, they mean us no more at most, than a single
 vote in them, and no more power than every one of the
 rest of our privy-counsellors only leave to us, out of their
 respect and duty, (and that only is left of all our ancient
 power) a choice, whether these that are thus to be joined
 with (or rather set over) us, shall be fifteen or twenty-
 five: and great care is taken, that the oath which these
 men shall take, shall be such, in the framing the form of
 which (though sure we are not wholly unconcerned in it)
 we may be wholly excluded, and that wholly reserved to
 be agreed upon by both houses of parliament.

And to shew that no more care is taken of our safety,
 than of our power, after so great indignities offered to us,
 and countenanced by those who were most obliged to
 resent them: after our town and fort kept from us, (from
 which, if it were no otherwise ours, than the whole
 kingdom is, we can no more legally be kept out, than
 out of our whole kingdom, which sure yourselves will
 not deny to be treason) our arms, our goods sent away,
 and our money stopped from us, our guards (in which
 we have no other intention, than to hinder the end of
 these things from being proportionable to their beginnings)
 are not only desired to be dismissed, before satisfaction for
 the injury, punishment of the injurers, and care taken
 for our future security from the like. But it is likewise
 desired (and for this, law is pretended, and might as well
 have been for the rest, which yet with some ingenuity,

are

CHAR. I. "are it seems acknowledged to be but desires of grace) that
1642.

"we shall not for the future raise any guards, or extraordinary forces, but in case of actual rebellion or invasion; which if it had been law, and so observed in the time of our predecessors, few of those victories, which have made these nations famous in other parts, could have been legally achieved: nor could our blessed predecessor queen Elizabeth have so defended herself in eighty eight. And if no forces must be levied till rebellions and invasions (which will not stay for the calling of parliaments, and their consent for raising of forces) be actual, they must undoubtedly, (at least most probably) be effectual and prevalent.

"And as neither care is taken for our rights, honour nor safety, as a prince; so our rights, as a private person, are endeavoured to be had from us; it being asked, that it may be unlawful and punishable, not only to conclude, but even to treat of any marriage with any person for our own children, or to place governors about them, without consent of parliament; and in the intermission of these, without the consent of our good lords of the council; that we may not only be in a more despicable state than any of our predecessors, but in a meaner and viler condition than the lowest of our subjects, who value no liberty they have more, than that of the free education and marriage of their children, from which we are asked to debar ourself; and have the more reason to take it ill that we are so, because of our choice of a governor for our son, and a husband for our daughter, (in which the protestant religion was our principal consideration) we conceived we had reason to expect your present thanks, and the increase of your future trusts.

"We suppose these demands by this time to appear such, as the demanders cannot be supposed to have any such real fear of us, as hath been long pretended; they are too much in the stile, not only of equals, but of conquerors; and as little to be intended for removing of jealousies, (for which end they are said to be asked; and that is not as merchants ask at first, much more than they will take, but as most necessary to effect it, which (if they be) God help this poor kingdom, and those who are in the hands of such persons, whose jealousies nothing else will remove) which indeed is such a way, as if there being differences and suits between two persons, whereof one would have from the other several parcels of his ancient

cient land, he should propose to him, by way of accom-
modation, that he would quit to him all those in question, with the rest of his estate, as the most necessary and effectual means to remove all those suits and differences: but we call God to witness, that as for our subjects sake these rights are vested in us, so, for their sakes, as well as for our own, we are resolved not to quit them, nor to subvert (though in a parliamentary way) the ancient, equal, happy, well-poised, and never-enough commended constitution of the government of this kingdom; nor to make ourself of a king of England, a duke of Venice, and this of a kingdom, a republic.

There being three kinds of government among men, absolute monarchy, aristocracy, and democracy; and all these having their particular conveniencies and inconveniencies; the experience and wisdom of our ancestors, hath so moulded this out of a mixture of these, as to give to this kingdom (as far as human prudence can provide) the conveniencies of all three, without the inconveniencies of any one, as long as the balance hangs even between the three estates, and they run jointly on in their proper channel, (begetting verdure and fertility in the meadows on both sides) and the overflowing of either on either side, raise no deluge or inundation. The ill of absolute monarchy, is tyranny; the ill of aristocracy, is faction and division; the ills of democracy, are tumults, violence, and licentiousness. The good of monarchy, is the uniting a nation under one head, to resist invasion from abroad, and insurrection at home: the good of aristocracy, is the conjunction of council in the ablest persons of a state for the public benefit: the good of democracy, is liberty, and the courage and industry which liberty begets.

In this kingdom, the laws are jointly made by a king, by a house of peers, and by a house of commons, chosen by the people, all having free votes and particular privileges. The government, according to these laws, is trusted to the king; power of treaties, of war, and peace, of making peers, of chusing officers and counsellors for state, judges for law, commanders for forts and castles; giving commissions for raising men; to make war abroad, or to prevent or provide against invasions or insurrections at home; benefit of confiscations, power of pardoning, and some more of the like kind are placed in the king. And this kind of regulated

CHAR. I. " monarchy, having this power to preserve that authority, without which it would be disabled to preserve the
1642. "

" laws in their force, and the subjects in their liberties
" and properties, is intended to draw to him such a respect
" and relation from the great ones, as may hinder the ills
" of division and faction; and such a fear and reverence
" from the people, as may hinder tumults, violence, and
" licentiousness.

" Again, That the prince may not make use of this high
" and perpetual power to the hurt of those for whose good
" he hath it; and make use of the name of *public necessity*,
" for the gain of his private favourites and followers, to the
" detriment of his people, the house of commons, (an
" excellent conservator of liberty, but never intended for any
" share in government, or the choosing of them that should
" govern) is solely intrusted with the first propositions concerning the levies of monies, (which is the sinews as well
" of peace as of war) and the impeaching of those, who
" for their own ends, though countenanced by any surreptitiously-gotten command of the king, have violated that
" law, which he is bound (when he knows it) to protect;
" and to the prosecution of which they were bound to advise him, at least not to serve him in the contrary. And
" the lords being trusted with a judicatory power, are an
" excellent screen and bank between the prince and people,
" to assist each against any encroachments of the other;
" and by just judgments to preserve that law, which ought
" to be the rule of every one of the three. For the better
" enabling them in this, beyond the examples of any of
" our ancestors, we were willingly contented to oblige ourselves, both to call a parliament every three years, and not
" to dissolve it in fifty days: and for the present exigent,
" the better to raise money, and to avoid the pressure (no
" less grievous to us than them) our people must have suffered by a longer continuance of so vast a charge as two
" great armies; and for their greater certainty of having
" sufficient time to remedy the inconveniences arisen, during so long an absence of parliaments, and for the punishment of the causers and ministers of them, we yielded
" up our right of dissolving this parliament, expecting an
" extraordinary moderation from it, in gratitude for so unexampled a grace, and little looking that any malignant
" party should be encouraged, or enabled to have persuaded
" them, first, to countenance the injustices and indignities
" we have endured, and then by a new way of satisfaction
" for

“ for what was taken from us, to demand of us at once to CHAR. I.
 “ confirm what was so taken, and to give up almost all the 1642.
 “ rest. }

“ Since therefore the power, legally placed in both houses,
 “ is more than sufficient to prevent and restrain the power
 “ of tyranny; and without the power, which is now asked
 “ from us, we shall not be able to discharge that trust,
 “ which is the end of monarchy, since this would be a
 “ total subversion of the fundamental laws, and that excel-
 “ lent constitution of this kingdom, which hath made this
 “ nation, so many years, both famous and happy to a great
 “ degree of envy; since to the power of punishing, (which
 “ is already in your hands according to law) if the power
 “ of preferring be added, we shall have nothing left for us
 “ but to look on, since the incroaching of one of these
 “ estates upon the power of the other, is unhappy in the
 “ effects both to them and all the rest, since this power,
 “ of at most a joint government in us with our counsellors
 “ (or rather our guardians) will return us to the worst
 “ kind of minority, and make us despicable both at home
 “ and abroad, and beget eternal factions and dissensions (as
 “ destructive to public happiness as war) both in the chosen,
 “ and in the houses that chose them, and the people who
 “ chose the chusers; since so new a power will undoubtedly
 “ intoxicate persons who were not born to it, and beget
 “ not only divisions among them as equals, but in them
 “ contempt of us, as become an equal to them, and inso-
 “ lence and injustice toward our people, and now so much
 “ their inferior, which shall be the more grievous unto
 “ them, as suffering from those who were so lately of a
 “ nearer degree to themselves: and being to have redress
 “ only from those that placed them; and fearing they may
 “ be inclined to preserve what they have made, both out of
 “ kindness and policy, since all great changes are extremely
 “ inconvenient, and almost infallibly beget yet greater
 “ changes, which beget yet greater inconveniencies.

“ Since as great an one in the church must follow this
 “ of the kingdom; since the second estate would in all
 “ probability follow the fate of the first, and by some of the
 “ turbulent spirits, jealousies would soon be raised against
 “ them, and the like propositions for reconciliation of dis-
 “ ferences would be then sent to them, as they now have
 “ joined to send to us, till (all power being vested in the
 “ house of commons, and their number making them in-
 “ capable of transacting affairs of state with the necessary

CHAR. I. "service and expedition, those being re-trusted to some
1642. "close committee) at last the common people (who in the

"mean time must be flattered, and to whom licence must
"be given in all their wild humours, how contrary soever
"to established law, or their own real good) discover this
"Arcanum imperii, That all this was done by them, but
"not for them; and grow weary of journey-work, and
"set up for themselves, call parity and independence liber-
"ty; devour that estate which had devoured the rest; de-
"stroy all rights and properties, all distinctions of families
"and merit; and by this means this splendid and excel-
"lently distinguished-form of government, end in a dark
"equal chaos of confusion, and the long line of our many
"noble ancestors in a Jack Cade, or a Wat Tyler.

"For all these reasons, to all these demands our answer
"is, *Nolumus Leges Angliæ mutari*: but this we promise,
"that we will be as careful of preserving the laws, in what
"is supposed to concern wholly our subjects, as in what
"most concerns ourself: for indeed we profess to believe,
"that the preservation of every law concerns us, those of
"obedience not being secure, when those of protection are
"violated: and we being, most of any, injured in the least
"violation of that, by which we enjoy the highest rights
"and greatest benefits, and are therefore obliged to defend
"no less by our interest, than by our duty, and hope that
"no jealousies to the contrary shall be any longer nourished
"in any of our good people, by the subtle insinuations,
"and secret practices of men, who, for private ends, are
"disaffected to our honour and safety, and the peace and
"prosperity of our people. And to shew you, that no just
"indignation at so reproachful offers, shall make us refuse
"to grant what is probable to conduce to the good of our
"good people, because of the ill company it comes in, we
"will search carefully in this heap of unreasonable de-
"mands, for so much as we may (comp'ying with our
"conscience, and the duty of our trust) assent unto, and
"shall accordingly agree to it.

"In pursuance of which search in the fourth proposition,
"under a demand, which would take from us that trust,
"which God, nature, and the laws of the land have placed
"in us, and of which none of you could endure to be de-
"prived, we find something to which we give this answer,
"That we have committed the principal places about our
"children to persons of quality, integrity, and piety, with
"special regard that their tender years might be so seasoned

"with

“ with the principles of the true protestant religion, as (by CHAR. I.
 “ the blessing of God upon this our care) this whole king- 1642.
 “ dom may in due time reap the fruits thereof: and as we
 “ have been likewise very careful in the choice of servants
 “ about them, that none of them may be such, as by ill
 “ principles, or by ill examples, to cross our endeavours
 “ for their pious and virtuous education; so if there shall
 “ be found (for all our care to prevent it) any person about
 “ our children, (or about us, which is more than you ask)
 “ against whom both houses shall make appear to us any
 “ just exception, we shall not only remove them, but thank
 “ you for the information; only we shall expect that you
 “ shall be likewise careful, that there be no underhand-
 “ dealing by any, to seek faults, to make room for others
 “ to succeed in their places.

“ For the fifth demand, as we will not suffer any to share
 “ with us in our power of treaties, which are most impro-
 “ per for parliaments, and least of all in those treaties in
 “ which we are nearest concerned, not only as a king, but
 “ as a father; yet we do (such is our desire to give all rea-
 “ sonable satisfaction) assure you by the word of a king,
 “ that we shall never propose or entertain any treaty what-
 “ soever for the marriage of any of our children, without
 “ due regard to the true protestant profession, the good of
 “ our kingdom, and the honour of our family.

“ For the sixth demand, concerning the laws in force
 “ against jesuits, priests, and popish recusants, we have, by
 “ many of our messages to you, by our voluntary promises
 “ to you so solemnly made, never to pardon any popish priest,
 “ by our strict proclamations lately published in this point,
 “ and by the public examples which we have made in that
 “ case since our residence at York, and before at London,
 “ sufficiently expressed our zeal herein. Why do you then
 “ ask that in which our own inclination hath prevented
 “ you? And if you can yet find any more effectual course
 “ to disable them from disturbing the state, or eluding the
 “ law by trust or otherwise, we shall willingly give our con-
 “ sent to it.

“ For the seventh demand, concerning the votes of the
 “ popish lords; we understand, that they in discretion have
 “ withdrawn themselves from the service of the house of
 “ peers, and had done so when use was publicly made of
 “ their names to asperse the votes of that house, which was
 “ then counted as malignant as those, who are called our
 “ unknown and unsworn counsellors, are now;) neither

CHAR. I. "do we conceive, that such a positive law against the votes
1642. "of any whose blood gives them that right, is so proper in

"regard of the privilege of parliament, but are content,
"that so long as they shall not be conformable to the
"doctrine and discipline of the church of England, they
"shall not be admitted to sit in the house of peers, but only
"to give their proxies to such protestant lords as they shall
"choose, who are to dispose of them as they themselves
"shall think fit, without any reference at all to the giver.

"As to the desires for a bill for the education of papists
"by protestants in the protestant profession, many about us
"can witness with us, that we have often delivered our
"opinion, that such a course (with God's blessing upon it)
"would be the most effectual for the rooting popery out of
"this kingdom; we shall therefore thank you for it, and
"encourage you in it, and when it comes unto us, do our
"duty; and we heartily wish for the public good, that the
"time you have spent in making ordinances without us,
"had been employed in preparing this and other good bills
"for us.

"For the eighth, touching the reformation to be made
"of the church-government and liturgy, we had hoped,
"that what we had formerly declared concerning the same,
"had been so sufficiently understood by you, and all good
"subjects, that we should not need to have expressed our-
"self further in it. We told you in our answer to your
"petition, presented to us at Hampton-court the first of
"December, that for any illegal innovations which may
"have crept in, we should willingly concur in the removal
"of them; and if our parliament should advise us to call
"a national synod, which may duly examine such ceremonies
"as give just cause of offence to any, we should take
"it into consideration, and apply ourself to give due satisfaction
"therein; that we were persuaded in our conscience,
"that no church could be found upon the earth, that professeth
"the true religion with more purity of doctrine than
"the church of England doth, nor where the government
"and discipline are jointly more beautified and free from
"superstition, than as they are here established by law:
"which (by the grace of God) we will with constancy
"maintain (while we live) in their purity and glory, not
"only against all invasions of popery, but also from the
"irreverence of those many schismatics and separatists,
"wherewith of late this kingdom, and our city of London,
"abounds, to the great dishonour and hazard both of
"church

“ church and state, for the suppression of whom we required CHAR. I.
 “ your timely and active assistance. We told you in our 1642
 “ first declaration, printed by the advice of our privy-council,
 “ *That for differences amongst ourselves for matters indifferent*
 “ *in their own nature concerning religion, we should, in tender-*
 “ *ness to any number of our loving subjects, very willingly com-*
 “ *ply with the advice of our parliament, that some law might*
 “ *be made for the exemption of tender conscience from punish-*
 “ *ment, or prosecution for such ceremonies, and in such cases,*
 “ *which by the judgment of most men are held to be matters in-*
 “ *different, and of some to be absolutely unlawful; provided*
 “ *that this case should be attempted and pursued with that mo-*
 “ *desty, temper, and submission, that in the mean time the peace*
 “ *and quiet of the kingdom be not disturbed, the decency and*
 “ *comeliness of God's service discountenanced, nor the pious,*
 “ *sober, devout actions of those reverend persons who were the*
 “ *first labourers in the blessed reformation, or of that time, be*
 “ *scandalised and defamed.* And we heartily wish, that others
 “ whom it concerned, had been as ready as their duty
 “ bound them, though they had not received it from us, to
 “ have pursued this caution, as we were, and still are will-
 “ ing and ready to make good every particular of that pro-
 “ mise. Nor did we only appear willing to join in so good
 “ a work, when it should be brought us, but pressed and
 “ urged you to it by our message of the 14th of February,
 “ in these words: *And because his majesty observes great and*
 “ *different troubles to arise in the hearts of people, concerning*
 “ *the government and liturgy of the church, his majesty is*
 “ *willing to declare, that he will refer the whole consideration to*
 “ *the wisdom of his parliament, which he desires them to enter*
 “ *into speedily, that the present distractions about the same may*
 “ *be composed; but desires not to be pressed to any single act on*
 “ *his part till the whole be so digested and settled by both houses,*
 “ *that his majesty may clearly see what is fit to be left, as well*
 “ *as what is fit to be taken away: of which we the more*
 “ *hoped of a good success to the general satisfaction of our*
 “ *people, because you seem in this proposition to desire but*
 “ *a reformation, and not, as is daily preached for as ne-*
 “ *cessary in those many conventicles, which have within*
 “ *these nineteen months begun to swarm, and which, tho'*
 “ *their leaders differ from you in this opinion, yet appear*
 “ *to many as countenanced by you, by not being punished*
 “ *by you (few else, by reason of the order of the house of*
 “ *commons of the 9th of September, daring to do it) a*
 “ *destruction of the present discipline and liturgy.* And
“ we

CHAR. I. "we shall most chearfully give our best assistance for raising
 1642. "a sufficient maintenance for preaching ministers, in such
 { "course as shall be most for the encouragement and ad-
 "vancement of piety and learning.

"For the bills you mention, and the consultation you
 "intimate, knowing nothing of the particular matters of
 "the one (though we like the titles well) not of the man-
 "ner of the other, but from an informer, (to whom we
 "give little credit, and we wish no man did more) common
 "fame, we can say nothing till we see them.

"For the eleventh, we could not have the oath of all
 "privy-counsellors and judges straitned to particular statutes
 "of one or two particular parliaments, but extend to all
 "statutes of all parliaments, and the whole law of the
 "land; and shall willingly consent, that an inquiry of all
 "the breaches and violations of the law may be given in
 "charge by the justices of the King's-bench every term,
 "and by the judges of assize in their circuits, and justices
 "of the peace at the sessions, to be presented and punished
 "according to law.

"For the seventeenth, we shall ever be most ready, (and
 "we are sorry it should be thought needful to move us in
 "it) not only to join with any (particularly with the States
 "of the United Provinces, of which we have given a late
 "proof in the match of our daughter) for the defence and
 "maintenance of the protestant religion against all designs
 "and attempts of the pope and his adherents; but singly
 "(if need were) to oppose with our life and fortune all
 "such designs in all other nations, were they joined: and
 "that for considerations of conscience, far more than any
 "temporal end of obtaining access of strength and reputa-
 "tion, or any natural end of restoring our royal sister and
 "her princely issue to their dignities and dominions, tho'
 "these be likewise much considered by us.

"For the eighteenth, it was not our fault that an act
 "was not passed to clear the lord Kimbolton, and the five
 "members of the house of commons, but yours, who in-
 "serted clauses into both the preamble and act, (perhaps
 "persuaded to it by some who wish not that you should in
 "any thing receive satisfaction from us) as by passing the
 "preamble, we must have wounded our honour against
 "our conscience, and by another clause have admitted a
 "consequence, from which we could never have been se-
 "cured, by declaring, that no member of either house,
 "upon any accusation of treason, could have his person
 "seized

“ seized without the consent of that house of which he is
 “ a member; though the known law be, *That privilege of* CHAR. I.
 “ *parliament extends not to treason*; and if it did, any mem- 1642.
 “ ber (the house being for a short time adjourned, and so
 “ their consent not being so had) how treasonable soever his
 “ intentions were, how clearly soever known, and how
 “ suddenly soever to be executed, must have fair leave given
 “ him to go on and pursue them; no way, how legal
 “ soever, after the passing such a clause, being left to pre-
 “ vent it.” (3.)

REM. (3.) The king, in shewing the inconveniencies of this clause, lays down a case different from that of the six members accused. For he supposes, to demonstrate these inconveniencies, that the treason is manifest, and just going to be executed. Whereas the difference between the king and the parliament consisted, in that the parliament desired to see the proofs, before they consented to the prosecution of their members. Besides, this maxim, that the privileges of parliament extend not to treasonable cases, is very ambiguous. For it may signify, either that in case of real, manifest, or apparent treason, the members of parliament have no more privilege than the rest of the subjects, or else that by a bare accusation of treason, true or false, a member may be committed to prison like any other private person. The king took it, and would have it taken, in this last sense, but the parliament would admit it only in the first. But that the king's sense was wrong, evidently appears, in that when, for instance, a peer is accused of treason, he is not sent to the Tower, according to the usual course of justice, as a private person would be, but by order of his house, which thinks proper to consent to his prosecution. Without this consent, the king cannot send him to the Tower by his own authority, and upon a bare accusation. In short, no less inconveniencies would attend the king's sense, since in that case the king, upon bare accusations, true or false, might imprison all the principal members of both houses.

“ To conclude, we conjure you, and all men, to rest sa-
 “ tisfied with the truth of our professions, and the reality
 “ of our intentions, not to ask such things as deny them-
 “ selves; that you declare against tumults, and punish the
 “ authors; that you allow us our propriety in our towns,
 “ arms, and goods, and our share in the legislative power,
 “ which would be counted in us not only breach of privi-
 “ lege, but tyranny and subversion of parliaments, to deny
 “ to

CHAR. I. "to you. And when you shall have given us satisfaction
 1642. "upon those persons who have taken away the one, and
 "recalled those declarations (particularly that of the 26th
 "of May) and those in the point of the militia (our just
 "rights, wherein we will no more part with than with
 "our crown, lest we enable others by them to take that
 "from us) which would take away the other, and declined
 "the beginnings of a war against us, under pretence of
 "our intention of making one against you; as we have
 "never opposed the first part of the thirteenth demand, so
 "we shall be ready to concur with you in the latter.

"And being then confident, that the credit of those men,
 "who desire a general combustion, will be so weakened
 "with you, that they will not be able to do this kingdom
 "any more harm, we shall be willing to grant our general
 "pardon, with such exceptions as shall be thought fit, and
 "shall receive much more joy in the hope of a full and
 "constant happiness of our people in the true religion, and
 "under the protection of the law, by a blessed union be-
 "tween us and our parliament (so much desired by us)
 "than any such increase of our revenue, (how much so-
 "ever beyond former grants) as (when our subjects were
 "wealthiest) our parliament could have settled upon us."

I shall make but one general remark upon this answer
 of the king, and which to me seems absolutely necessary,
 namely, that all the beginning, which includes two thirds,
 is entirely needless, since the king treats not of the point in
 dispute between him and the parliament. The question
 was not to know, whether the laws ascribed such and such
 power to the king, but to know, whether the king having
 abused this power, his promise, that he would govern ac-
 cording to the law of the land; was to be depended upon
 for the future. The king throughout the beginning of his
 answer, supposes an ignorance of what is due to a king of
 England, or a causeless denial of the same. As to the first
 point, he pretends to acquaint the public with the nature
 of the English constitution, which was very needless, since
 no body disagreed with him. He keeps to the general posi-
 tion acknowledged by all the world, but says not a word to
 the particular question, which was the sole subject of the
 dispute. As to the second point, he does not deny that he
 had abused his power, but makes no other answer to the
 consequence drawn by the parliament from this abuse, than
 that he promises to behave better for the future.

It

It is easy to see, that neither the parliament's propositions, nor the king's answer, were proper to beget an accommodation. Accordingly, it may be affirmed, that neither side thought of any such thing. When the king published his answer, he had received some arms, ammunition, and pieces of ordnance from Holland, and besides that, was preparing to besiege Hull. Though great part of the arms were now removed to London, he hoped still to find there sufficient for his most urgent occasions. Moreover, this place, which was one of the strongest in the kingdom, could be of great service to him, to keep the adjacent country in his interest.

On the other hand, the presbyterian party, who then prevailed in the parliament, had almost attained their desire, that is, had brought things to a rupture, which gave them room to hope, they should quickly have opportunity to accomplish the rest of their project. Indeed, this rupture between the king and the parliament being supposed, it was manifest, the kingdom was to be governed by the parliament and the king, separately, and not jointly, as before, that is, they would each govern those of their party; in which case, the parliament would have no more occasion for the king's consent, who would be looked upon as an enemy, and consequently, they might ordain whatever they pleased, without any opposition. This was precisely the point to which all the proceedings of the presbyterian party had tended, without their discovering themselves however, any more than was necessary to support the expectations of their adherents. For till now it highly concerned them to make the public, and the members who were not of their side believe, that they acted in conjunction with the other members, only with the view of vindicating the common liberty, against the incroachments of the king.

It is certain, that from the beginning, there was in this parliament, a presbyterian party, whose aim was to alter the church-government. But that this was the sole aim of the presbyterians, as many assert, is what does not to me appear evident. Why might not these men, in striving to erect their discipline upon the ruins of the church, have another end, I mean, the prevention of the king's and his party's incroachments upon the public liberty? There were, certainly, in this very parliament, members who were very far from being presbyterians, and yet had the same end: why might not the presbyterians have it too, jointly with that which was peculiar to them? Is it so uncommon

CHAR. I,
1642.

The motives
of the pres-
byterians in
the rupture.

Double views
of the presby-
terians.

CHAR. I. common a thing, to see people propose to themselves two different ends, in one and the same undertaking? I confess
1642.

I do not see the improbability of such a proposition. The presbyterian party therefore must be considered as acting with those two views, and this is so true, that undeniable proofs of it will appear in the sequel of this reign. But their enemies have been pleased to ascribe to them the first only, in order to charge them with putting the kingdom in a flame, for the sake of establishing the presbyterian government in the church. I do not deny, that this motive contributed very much to it. But it does not follow, that the reasons on which the parliament refused to confide in the king, were frivolous. The contrary may be rather inferred. For if these reasons had not been plausible, the presbyterians would never have been able to execute their projects, and form so strong a party in a kingdom, where, at the beginning of this parliament, they made so inconsiderable a figure. But they politicly make use of the general discontent, which actually subsisted, to bring matters to the point they desired. They cannot be said to have caused this universal discontent, tho' it is certain, they helped to inflame it, because it was necessary to their views.

Order of the house concerning the sale of the crown jewels.

Rushworth, IV. p. 736.
June 2.

The king receives arms from Holland.

Rushworth, IV. p. 601.

Clarendon, T. I. p. 497.

520, 521.

The king orders his party to leave the parliament.

The parliament having received advice from Holland, that the queen had pawned or sold some of the crown-jewels at Amsterdam, published the 2d of June an order, declaring, that whosoever was concerned in the selling or pawning these jewels, or in the bringing any money to the king, by way of bill of exchange, or otherwise, should be accounted an enemy to the state. But the queen had already laid out the money in purchasing arms and ammunition, which she had conveyed to the king, in a small ship called *the Providence*, which, the very day the parliament published this order, safely arrived in Burlington-bay, after having been warmly pursued by part of the parliament's fleet, commanded by the earl of Warwick¹.

Some time before the king, finding a war unavoidable, had ordered his friends in both houses, to absent themselves from the parliament. He hoped, by lessening so considerably the number of the members, to lessen the credit of the parliament. But this policy turned not to his advantage.

It

¹ The *Providence* ran ashore upon Holderness coast in Kenningham-creek. There were on board of her, sixteen pieces of ordnance, and great store of arms and ammunition. Rushworth,

Tom. IV. p. 601. Two or three thousand arms, and two hundred barrels of gun-powder, says lord Clarendon, Tom. I. p. 521.

It is true, both houses were considerably lessened in number. CHAR. I. 1642. But withal, the king's party there grew so weak that they could no longer oppose the resolutions taken against the king. Though the two houses were not sorry to be rid of these spies, they believed however, it was necessary to take some measures, either to hinder a greater desertion, or to convince the people, it was not their fault if the parliament was not so numerous as hitherto. The commons therefore ordered all the sheriffs of the kingdom, to give notice to the representatives, to attend the house by the 16th of June, on the forfeiture of one hundred pounds, to be employed in the wars in Ireland, and on pain of undergoing such farther punishment as the house should think fit.

But the lords went still farther, for they ordered nine of their members¹, who had repaired to the king at York, to appear at the bar the 8th of June as delinquents. These nine lords having sent their excuse by a letter, the commons forthwith prepared an impeachment against them, and sent it up to the lords. The 27th of the same month², the peers pronounced sentence against the nine lords, declaring, they should neither sit or vote in the house during the present parliament, and should stand committed to the Tower during the pleasure of the house.

These were little preludes to the war which was going to be kindled. But the 10th of June, both houses gave a more evident proof of their design; for upon receiving advice, that the king was actually giving out commissions to levy forces, they published proposals for the bringing in of money or plate, at eight *per cent.* for the defence of the kingdom³. This is what the king's friends will have to be considered as the first declaration of war on the parliament's side; and pretend thereby to shew, that both houses were the aggressors. But it is certain, the king, long before, had taken measures to prepare for war, and there is no doubt the parliament had done the same, tho' perhaps more secretly than the king. Be this as it will, after having

¹ Spencer Compton, earl of Northampton, William Cavendish, earl of Devonshire, Robert Cary, earl of Monmouth, and Henry Cary, earl of Dover; and Robert lord Rich, Charles Howard, lord Andover, Charles lord Grey of Ruthen, Thomas lord Coventry, and Arthur, lord Capel. Rushworth, Tom. IV. p. 737.

² On the 20th of July, Rushworth, Tom. IV. p. 742.

³ They pretended, that their design

was only to maintain the protestant religion, the king's authority and person in his royal dignity, the free course of justice, the laws of the land, the peace of the kingdom, and privileges of the parliament. Rushworth, Tom. IV. p. 745, 747. So ready were the people to comply with the parliament's proposals, that the sums brought in, including plate, &c. mentioned to above eleven millions. Dugdale's View, p. 96.

CHAR. I. ing seen what were the true grounds and causes of the war, it seems of little moment to know, which of the two parties first discovered the measures taken to attack or defend. For that at most is the meaning of the question, *Which of the parties began the war?*

The king's letters to the mayor of London.

June 14.

Rushworth,

IV. p. 746.

The parliament's declaration thereupon.

June 21.

Ibid.

The king's answer.

Ib. p. 748.

The king having notice of what the parliament had done for the speedy raising of money, writ to the lord-mayor of London, commanding him to publish his letter, wherein he forbid the citizens to lend any money to both houses. This letter occasioned their publishing a declaration, the aim whereof was to shew the people, that the parliament was under an absolute necessity of preparing for their defence. They said, his majesty having so often threatened them about Hull and the militia, they could not but consider his preparations as a design to levy war against his parliament.

The king made to this declaration a long answer, full of reproaches of the illegal proceedings of both houses against him. He did not deny, that he intended to have justice in the cases of Hull and the militia, or lose his life in requiring it; and affirmed, that this was no proof of a design to make war against the parliament, but only of his intention to defend himself against their attacks. The parliament said the same thing on their part, and each endeavoured to cast the blame of the war on the opposite party. I did not think it necessary to insert these last papers, there being nothing new in them. They contain the same reproaches, and the same vindications on both sides, as were seen in the former declarations. I shall only observe, that even when the war was going to commence, and there was no more hopes of an accommodation, the king thought it very strange, that his prerogatives should be violated, and the parliament raise forces without his approbation. He always used the same stile, even the very midst of the war. In short, the parliament, weary of these paper-skirmishes, of which there was no end, and which consumed a great deal of time, prohibited, by a printed order, the publishing any declarations or papers in the king's name, that should be contrary to the ordinances of the parliament. After that there was no hope of peace, and accordingly, all thoughts of it were laid aside by both parties.

The parliament forbids the publishing of the king's papers. July 4. Rushworth, IV. p. 751.

Project of the king's to become master of the fleet; Clarendon, T. I. p. 522, &c. T. May.

The king, before he came to an open declaration, had a mind to execute two designs he had formed. The first was, to become master of the fleet; the second, to besiege Hull. The project of the fleet was solely founded in the expectation, that the captains of the ships would declare for him as soon

soon as commanded. In this belief, he writ to each captain in particular, requiring him, without delay, and without demanding the orders of his superiors, to bring away his ship to Burlington-bay, and yield no farther obedience to the earl of Warwick. He sent withal a letter to the earl of Warwick, to discharge him from the command of the fleet. The letters to the captains were to be delivered, as indeed they were, before that directed to the earl of Warwick. The king dispatched at the same time a messenger to London, to carry to the earl of Northumberland a revocation of his commission of admiral, under the great-seal. The earl of Warwick, who was then on shore, having notice of what passed in the fleet, went immediately on board his ship, and summoned all the captains to attend him at a council of war. All obeyed, notwithstanding the king's orders, except five, who united together to make their defence, in case they should be attacked. The rest protested to their admiral, they would obey his commands. As soon as he had secured these, he caused them to come to an anchor round the five others, to force them to submit. But three of them thought fit to come in upon a summons. The two that still remained obstinate, suffered themselves to be shamefully taken by unarmed boats, and were sent to London. Thus the king was disappointed of his aim, for which, though of great importance, he had not doubtless taken very proper measures, as appeared by the event ^{Is frustrated.}

After this fruitless attempt, the king believed it in vain to dissemble any longer, and that he must at last begin the war. To that end, he ordered William Cavendish earl of Newcastle to secure the town of Newcastle; which was performed, tho' with some difficulty, and then he caused also Tinmouth castle to be seized. At the same time, he sent many lords and gentlemen into their respective shires to levy forces, and by a patent under the great-seal, appointed William Scymour earl of Hertford, his lieutenant-general of the western counties. He kept near his person Robert Bartu earl of Lindsey, to be, under him, general of his army. Sir Jacob Ashley was general of the foot, and the place of general of the horse was reserved for prince Rupert, the

^a Sir John Pennington, it seems, having refused to undertake the business, each captain, as is said above, had orders to bring away his ship; but Pennington altering his mind, the dispatches were altered too, and the captains were commanded in their letters

to follow Pennington's orders, who not coming time enough, the project came to nothing. Had the first letters gone, the five ships above-mentioned might have got off. Clarendon, Tom. I. p. 523, 524.

CHAR. I. the king's nephew and brother to the elector Palatine, who 1642. was daily expected.

Tho' the king had pretended to raise only a guard for his person, it was found however, that in the beginning of July, he had about three thousand foot, and seven or eight hundred horse, with which he resolved to march to Hull. He stayed some days at Beverly, and published a proclamation, to signify his intention to besiege Hull, and the reason that induced him thereto. As they have already been mentioned, it is needless to repeat them. Three days after, he sent the proclamation to the parliament, with a message, requiring them, that the town of Hull might be forthwith delivered to him.

Before the parliament received the message, they had resolved to present a petition to his majesty, to pray him, in a very humble manner, to forbear all preparations for war; to remove his forces from about Hull; to dismiss his troops; to send away his garrisons from Newcastle, Tinmouth, and other places; for which they promised also, on their part, to discontinue all the preparations they had been forced to make for their defence. The king returned a long answer in writing to this petition, wherein he repeated great part of what he had said in his declarations. He made likewise some propositions to both houses, allowing them to the 27th of July for a full and positive answer.

The king's answer.
Id. p. 605.
Clarendon,
T. I. p. 530.
591.
He besieges Hull in vain.
Rushworth,
IV. p. 617.
Clarendon,
T. I. p. 549.

The parliament having returned an unsatisfactory answer to the propositions, the king resolved to begin the siege of Hull. But the enterprize was so unsuccessful, that after having been some time before the town, without making any progress, he was obliged to raise the siege or rather blockade, and return to York. The earl of Clarendon says, the king undertook the siege of Hull, upon the assurance given him by Sir John Hotham, that he would surrender the town at the first shot, but that it was not possible for Hotham to perform his word ^x.

The king, as I before said, had, some months since, gained Colonel Goring governor of Portsmouth, who feigning

^x The lord Digby coming privately to the king at York, from beyond sea, and not finding matters as he expected, resolved to go back to the queen, and hasten the supply of arms, but was taken at sea by the ships that were chasing the Providence, and brought disguised like a Frenchman into Hull, where, discovering himself to Sir John Hotham, he prevailed with

him, according to the lord Clarendon, to promise to surrender the town, if the king would come before it, and make but one shot. And this, he says, induced the king to march to Beverly, in order to besiege Hull, before he had any thing in readiness for such an undertaking. Clarendon, tom. I. p. 546, &c.

ing to keep the place for the parliament, held it indeed for the king. He received money from both sides, to reinforce the garrison and raise new works, the parliament not mistrusting him, and the king relying on his word. At last, about the time the king was before Hull, Goring openly declared for him. This happened in the beginning of August, but three weeks after the parliament had issued out orders for levying an army, to be commanded by Robert Devereux earl of Essex. This army not being yet ready, both houses, though astonished at Goring's defection, were not however discouraged. As it was of the utmost importance to recover this place, the strongest in the kingdom, before the king should be able to relieve it, they hastily dispatched a committee, whom they empowered to assemble the militia of the neighbouring counties to block up Portsmouth by land, while the earl of Warwick, by their order, blocked it up by sea. Happily for the parliament, Goring, tho' he had received from them three thousand pounds, and the like sum from the king, had neglected to lay in the necessary provisions for a siege, and particularly corn and salt; so that in the very beginning of the blockade, he perceived he could not resist long. This made him resolve to capitulate. He surrendered the place to the committee, only for liberty to retire into Holland, and for his officers to repair to the king.

CHAR. I.
1642.

Goring governor of Portsmouth declares for the king. Rushworth, IV. p. 683. Clarendon, T. I. p. 551.

He is blocked up.

He capitulates.

During the blockade of Portsmouth, the king not doubting but Goring was in condition to defend that place, published at last a declaration that had long been prepared, wherein he sums up all the complaints he had already made against both houses. As the reader is sufficiently informed, there is no occasion to insert this new declaration. Only it must be remarked, that the king declared both houses guilty of high-treason, and forbid all his subjects to obey them. At the same time was also published a proclamation, requiring all men who could bear arms, to repair to him by the 25th of August at Nottingham, where he intended to set up his royal standard, which all good subjects were obliged to attend. The setting up of the royal standard, was the ancient manner of making known to the people the king's urgent occasion for their aid, and the place to which they were to repair to assist him. The king could not forbear thinking, he was still to be considered as an ordinary

The king's manifesto. Rushworth, IV. p. 766.

Proclamation to attend the royal standard. Id. p. 774. Clarendon, T. I. p. 553.

† And William Russell earl of Bedford, was, on July 14, appointed general of the horse. Rushworth, T. IV. p. 736.

CHAR. I. dinary king, and to have the same respect and obedience paid to him, as if he had never given his people any cause of complaint. He imagined, that the acts of grace he had passed in this parliament, and his promises to behave better for the future, had effaced all the ill impressions made by his past government upon his subjects; and that, though there was a powerful party against him in the parliament, it was otherwise among the people. He thought therefore, the setting up his standard would make a strong impression on the people, and induce them to appear in arms at Nottingham. But the prejudices were too deeply rooted in the minds of most of the subjects, for a bare ceremony to remove them.

The king gives out new commissions. Rushworth, IV. p. 685. Clarendon, T. I. p. 556. He takes Lincoln, and arrives at Nottingham.

Coventry gates are shut against him. Aug. 20. Ibid. Rushworth, IV. p. 783.

Wilmot loses an opportunity of defeating a body of the parliament's forces. Clarendon, T. I. p. 557.

Whilst the day appointed for the setting up of the standard was expected, the king endeavoured to augment the number of his forces. He gave out fresh commissions, and sent the earl of Hertford and some other lords and gentlemen to manage his concerns, and raise troops in the western parts. For himself, he departed from York some days before the 25th of August, and in his way took Lincoln, from whence he drew the arms of the trained-bands for his troops; after which he came to Nottingham, and the next day reviewed his horse.

The review was no sooner ended, but he was informed that two regiments of foot were marching to Coventry by the earl of Essex's orders. Whereupon he hastened thither with his cavalry, consisting of seven or eight hundred horse, in hopes of preventing the parliament's forces, and possessing himself of that city. Accordingly he arrived there the day before the two regiments: but the mayor of the city, though without a garrison, shut the gates against him, and fired upon his men. He was very sensibly touched with this indignity; but as there was no remedy, he was forced to return to Nottingham, leaving the command of his cavalry to commissary-general Wilmot.

The next day, his horse being upon a plain of five or six miles extent, where nothing incumbered them, had a clear view of a body of twelve hundred of the enemies foot, guarded only by one troop of horse. Wilmot, it seemed, could not have wished for a fairer opportunity to attack with advantage this body of foot, who had nothing to secure them. But, for what reason it is not known, instead of attacking the enemies, he thought only of avoiding them, and even retreated with some precipitation. This was a bad omen to a war just commenced.

At

At last, on the 25th of August, the king caused his CHAR. I. standard to be erected on a turret of Nottingham castle ², 1642. having with him only some unarmed trained-bands. His proclamation had produced so little effect, that few were come to attend the royal standard. Nay, it happened, the very day the standard was erected, to grow so tempestuous, that it was blown down, and could not be fixed again in a day or two. This was looked upon by many as a fatal presage of the war. The king had imagined, that the setting up of his standard would draw great numbers of people to Nottingham, who would come and offer him their service: but he was very much disappointed. He had with him but three hundred foot, and some trained-bands drawn together by Sir John Digby sheriff of the county. His cavalry consisted only of eight hundred horse, and his artillery was still at York, from whence it was difficult to bring it, many things being yet wanted to prepare and form it for marching, and beside there were no foot to guard it. Nevertheless, as he had given out many commissions, and ordered his forces to repair to Nottingham, he expected them in that town, though not without danger, the parliament having at Coventry five thousand foot, and fifteen hundred horse. Thus the king was in a very melancholy state before the war was well begun. He had appointed Robert Bartu earl of Lindsey for general, but had yet no army. The princes Rupert and Maurice his nephews, brothers of the elector Palatine, being come to offer him their service in the beginning of September, he made prince Rupert general of his horse, quartered at Leicester, whither the prince went and took upon him the command.

The king, it is certain, was in extreme danger at Nottingham. The town was not in condition to make a long resistance, and the king having scarce any forces, if the parliament's troops, which were within twenty miles of the place, had marched directly to him, he must have been forced to retire with dishonour to York, unless he would have hazarded his being made prisoner. All those about him saw the danger, it being so evident; but it was not easy to avoid it without quitting Nottingham, which could not but be very prejudicial to him. For this reason it was moved in the council, to send a message to both houses, with some overture to incline them to a treaty. The intent of this proposition was doubtless to intimate to the king, that

The king sets up his standard at Nottingham.

Rushworth, IV. p. 783. Is blown down.

Condition of the king at Nottingham.

Clarendon, T. II. p. 1, &c.

He is in great danger.

Clarendon, T. II. p. 5.

His council advise him to propose a peace.

² Rushworth says, it was erected in the open field, on the back-side of the castle-wall. T. IV. p. 783.

CHAR. I. that his affairs were in such a situation, that peace alone
 1642. could free him from the perplexity and danger he was ex-
 posed to. But the mover of this advice could hardly think,
 that a bare offer of peace was able to effect it, after what
 had passed before the rupture. Very likely therefore, his
 design was that, in proposing a peace, something more should
 be offered, than what had been offered before. The king
 easily perceived the intimation, and was so offended at it,
 that he broke up the council, that it might not be no longer
 urged.

The king
 refuses.
 Clarendon,
 T. II. p. 5.

He is advi-
 sed to pro-
 pose a peace
 upon the
 likelihood of
 its being re-
 jected.
 Ibid.

Reasons to
 back the
 advice.

He yields
 to it.

However, the next day, the same motion was renewed,
 but under a different view. As it was doubtless perceived,
 that what had offended the king, was the plain meaning of
 proposing a peace, namely, that his majesty must depart
 from some of his pretensions, care was taken to remove this
 odious meaning, and it was advised only to send a message
 to both houses, in order to gain time. The king still op-
 posed it, alledging, to offer peace in such a juncture, would
 be discovering his weakness: That his enemies would re-
 ject the offer with insolence, and nothing but dishonour
 would thereby reflect on himself. But it was represented to
 him, that such a message might do good, but could do no
 harm: That indeed, both houses, very likely, would reject
 the offer, but they would thereby render themselves odious
 to the people, who were desirous of peace, and who would
 be the more inclined to serve his majesty, for his endeavours
 to procure it: That if the overture was accepted, the king
 would have an opportunity of demonstrating, that the war,
 on his part, was purely defensive: In short, that the bare
 offer of peace would of course retard the preparations of the
 parliament, because mens minds would be in suspense,
 whilst the king's levies might be continued by virtue of the
 commissions already sent out.

The king yielded to these reasons, because the point was
 not to offer any new conditions, but only to lay a snare for
 the parliament, and retard their preparations. This was
 the sole motive of the message, wherein, as we shall see
 presently, the king proposed nothing new, and which, how-
 ever, he represented afterwards as an evident sign of his sin-
 cere desire of peace. But though some pretend, that his
 majesty's message, and the parliament's refusal, contributed
 very much to facilitate the king's levies, and undeceive the
 people of their good opinion of the intentions of both
 houses, I cannot believe that such weak reasons were able to
 produce so great effects. It is true, if by the people be
 meant

meant only those who were devoted to the king, is is not CHAR. I. 1642. unlikely, that the refusal of peace might render the parliament odious to them, and promote their taking up arms for the king. But if by the people, be understood the parliament's party, or rather all the people in general and without distinction, it is not easy to conceive, how the refusal of a bare proposition, without any thing new in it, could produce such an effect ^a. The people, no doubt, wished for peace rather than war. But they would have a solid peace, supported by other foundations than the king's bare word, and not a peace in general, such as his majesty proposed. They had already rejected such a peace; and upon this sense of the nation it was, that the parliament's whole authority was founded. This was no new thing: it had been long disputed without coming to any conclusion. How therefore could the bare proposal of a treaty, without any particular offer, incline the people so strongly to the king, and render the parliament more odious, if it was rejected? And yet, upon this foundation the king constantly built, from the beginning of the war, as will appear in the sequel. The second reason was wholly founded on the prejudices of the privy-counsellors. For, supposing the negotiation had been entered into, by what fresh evidence would the king have been able to demonstrate, that the war was only defensive on his part, since he had already alledged all that could be said on that subject, and since his papers were public? The third reason was of no greater force. For if the bare overture of a treaty was capable of keeping people in suspense, and retarding the parliament's levies, it might also have the same effect with regard to the king's. But the counsellors supposed, his majesty's levies would be continued with vigour, whilst the parliament's preparations would be interrupted: That is to say, the parliament's friends would fall into the snare, whilst care should be taken privately to warn the king's to avoid it. Nothing more clearly shows, with what spirit they advised the king to send this message to the parliament.

Remark on the foregoing reasons.

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^a It is judiciously observed by a modern author, That those on whom the parliament's representations prevailed, were generally people of the midland counties, and the traders in the southern parts of the kingdom, who had smarted most by the arbitrary acts of power, such as seizure of goods, prosecutions for ship-money, loans, tunnage, and poundage, illegal imprison-

ment, &c. Those on whom the king's representations prevailed, were generally his subjects in the farthest parts of the nation, in Wales, Cornwall, Cumberland, &c. who were the least sensible, and had been the least afflicted with the late pressures and sufferings, after the king's departing from the known laws. Acherly, p. 535.

CHAR. I. Be this as it wil, the message was sent the 25th of August, (three days after the setting up of the standard) ^b by Thomas Wriothesly earl of Southampton, Sir John Culpepper, and some others ^c.

The king's message to both houses of parliament.

Aug. 25.
Rushworth, IV. p. 784.
T. May.
Clarendon, T. II. p. 7.

He pronounced to both houses, " That some persons might be by them enabled to treat with the like number authorized by him, in such a manner, and with such freedom of debate, as might best tend to the peace of the kingdom. And he assured them, that nothing should be wanting on his part, which might advance the protestant religion, oppose popery, secure the laws of the land, and confirm all just power and privileges of parliament. If this proposition should be rejected, he protested, he had done his duty so amply, that God would absolve him from any of the guilt of that blood which must be spilt."

The king's deputies ill received.
Clarendon, T. II. p. 8.

As the war was sufficiently declared by the erecting of the standard, it seems, the king should have demanded a safe-conduct for his messengers. But though he had neglected to take that precaution, they pretended, on what grounds I know not, to go and sit in their respective places, without any previous notice, ^d. The lords, offended at the earl of Southampton's boldness, called upon him to withdraw, and ordered him to send his message in writing, and wait for an answer out of London. The commons also obliged Culpepper to deliver his message at the bar, at which the king took great offence.

The parliament's answer.
Aug. 28.
Id. p. 9.
Rushworth, IV. p. 785.
T. May.

The answer of both houses to his majesty's message was, " That notwithstanding their endeavours to prevent the distracted estate of the kingdom, nothing had followed but proclamations and declarations against both houses of parliament, whereby their actions were declared treasonable, and their persons traitors. So that until those proclamations were recalled, and the standard taken down, they could not, by the fundamental privileges of parliament, give his majesty any other answer to his message."

The king's messengers being returned to Nottingham with this answer, *His majesty*, says the lord Clarendon, *was contented to make so much farther use of their pride and passion,* as

^b This supposes the standard was set up the 22d of August, as indeed Whitelock and Rushworth both say. Though Rapin, after the lord Clarendon, said it was erected the 25th. See above, p. 499.

^c The earl of Dorset, and Sir William Uvedal, knight.

^d Sir John Culpepper, by reason of the penalty of a hundred pounds to be paid by all members who were not at the house by such a day, did not take his place, but sent in for leave, which was denied him. Clarendon, Tom. II. p. 8.

as to give them occasion, by another message, to publish more of CHAR. I. it to the people. It is easy to judge from hence, whether the 1642. king's real motive was a sincere desire of peace, since his messages were intended only to render the parliament odious.

He said in his reply: "That he never designed to declare The king's second message. Sept. 1. Rushworth, IV. p. 786. T. May. "both houses of parliament traitors, or set up his standard "against them, and much less to put them and the king- "dom out of his protection; he utterly professed against it "before God and the world. But he promised, that if a "day were appointed by them, for the revoking of their "declarations against all persons as traitors or otherwise for "assisting him, he would, with all chearfulness, upon the "same day, recal his proclamations and declarations, and "take down his standard."

In this message, as in all his other papers, may be observed the genius and character of Charles I. He always made use of obscure expressions, the interpretation whereof he reserved to himself. It is true, he had not in express terms declared both houses traitors: but he called their members by that name, as the earl of Essex and others. So, according to his way of reasoning, those that executed the orders of both houses were traitors and rebels, though the houses themselves were not so. It may be affirmed, that those little artifices were one of the principal causes of this prince's misfortunes, as they made him forfeit the trust and confidence of his subjects. They inspired the parliament with a perpetual jealousy of being intangled by treaties, wherein it would have been impossible to avoid such ambiguous expressions.

The two houses answered, "That his majesty not hav- The answer of both houses, Sept. 16. Rushworth, IV. p. 786. Clarendon, T. I. p. 10. "ing taken down his standard, recalled his proclamations "and declarations, whereby he had declared the actions of "both houses of parliament to be treasonable, and their "persons traitors, and having published the same since his "message of the 25th of August, they could not recede "from their former answer. That if his majesty would "recal his declarations, and return to his parliament, he "should find such expressions of their fidelities and duties; "that his safety, honour, and greatness could only be found "in the affections of his people, and the sincere counsels of "his parliament, who deserved better of his majesty, and "could never allow themselves, representing likewise the "whole kingdom, to be balanced with those who gave evil "counsels to his majesty."

CHAR. I. Mean while, both houses perceiving, that the king's aim
1642. was to keep the people in suspense by an uncertain expecta-

Id. p. 11.
Rushworth,

V. p. 2.

The king's
third mes-
sage.

Sept. 11.

Rushworth,

V. p. 2.

Clarendon,

T. II. p. 12.

tion of peace, published a declaration, protesting, they would never lay down their arms till his majesty had left the delinquents to the justice of the parliament.

The king, on his part, failed not, pursuant to his purpose, to make use of the answers of both houses to his two messages, in a third which he sent to them, saying, "That let all the world judge who had used most endeavours to prevent the present distractions, either he who had condescended to desire and press it, or the two houses, who had refused to enter into a negotiation. That for the future, if they desired a treaty of him, he should remember that the blood which was to be spilt in this quarrel was that of his subjects, and therefore would return to his parliament, as soon as the causes which had made him absent himself from it should be removed."

Both houses finding the king's design was to render their refusal to treat odious to the people, returned a stronger and more particular answer to this message than they had made to the two first. The substance whereof was as follows:

The parlia-
ment's
reply.

Sept. 16.

Rushworth,

V. p. 3.

"That at the very time his majesty propounded a treaty, his soldiers were committing numberless oppressions and rapines.

"That they could not think his majesty had done all that in him lay to remove the present distractions, as long as he would admit of no peace, without securing the authors and instruments of these mischiefs from justice.

"That they besought his majesty to consider his expressions, *That God should deal with him and his posterity, as he desired the preservation of the just rights of parliament.*

"That nevertheless, his intention was to deny the parliament the privilege of declaring to be delinquents those they deemed such, a privilege which belonged to the meanest court of justice in the kingdom.

"That his majesty hath no cause to complain, that he was denied a treaty, when they offered all that a treaty could produce, security, honour, service, obedience, support, and fought nothing but that their religion and liberty might be screened from the open violence of a wicked party.

"That if there were any cause of treaty, *they know no competent person to treat betwixt the king and the parliament.*

"That besides, the season was altogether unfit, whilst his majesty's standard was up, his proclamations and de-

clarations,

“ clarations not recalled, whereby his parliament was charged with treason. CHAR. I. 1642.

“ That indeed his majesty had often protested his tenderness of the miseries of Ireland, and his resolution to maintain the protestant religion, and the laws of this kingdom. But that these protestations could give no satisfaction to reasonable and indifferent men, when at the same time several of the Irish rebels, the known favourers of and agents for them, were admitted to his majesty’s presence with grace and favour, nay, some of them employed in his service; when the cloaths, munition, horse, bought by his parliament for the supply of the Irish war, were violently taken away, and applied to the maintenance of an unnatural war against his people.

“ That if his majesty would be pleased to come back to his parliament, they should be ready to secure his royal person, crown, and dignity, with their lives and fortunes.”

The king did not leave this answer without a reply. But instead of doing it by way of message, he published a declaration to this effect:

“ In the first place, he alledged the laws in his favour.

“ He denied that his soldiers had committed any disorders or violences, and affirmed, he had never suffered them to oppress any person whatever.

“ He recriminated upon the parliament. He denied that there were any Irish about him, and maintained, that it was a notorious calumny, like that cast upon him heretofore by Mr. Pym.

“ He said, the artillery-horses he had taken at Chester were few in number, and of small value. And for the cloaths, if his soldiers had taken any that were designed for the service of Ireland, it was done without his order; and though he might have seized three thousand suits which were going thither, yet he refused to do it, and gave order for their speedy transportation.

“ That the parliament made no scruple to employ in the war against their king, a hundred thousand pounds particularly appointed for the relief of Ireland.

“ That of near five hundred members, of which the lower-house consisted, there remained not above three hundred, the rest having been driven away by tumults and threats, or withdrawn themselves, out of conscience, from their desperate consultations. That of above a hundred peers, there remained but fifteen or sixteen in the upper-house.

The king’s declaration, Sept. 27. Rushworth, V. P. 5.

“ That

CHAR. I. "That it was not the body of the parliament, but only
1642. "the violent leading members that were the authors of the
"war."

I omit several general assertions which might then be necessary to the king's designs, but which have been already seen in the foregoing papers.

The earl of
Essex heads
the parlia-
ment's army
Rushworth,
V. p. 16.
The king
marches from
Nottingham
towards
Wales.
Sept. 16.
Id. p. 20.
Clarendon,
T. II. p. 21.

During these paper-skirmishes, both sides prepared for war. The earl of Essex having ordered his forces to assemble at Northampton, departed from London the 9th of September to head the army; and having reviewed them, found about sixteen thousand men well armed, and well appointed with a good train of artillery. Then the king, perceiving he could no longer remain at Nottingham with safety, marched towards the borders of Wales with his troops*, which were yet so few in number, that they did not deserve the name of an army. He was unresolved in what place to expect the forces that were to come to him from several parts: but intended to secure, if possible, Shrewsbury or Chester, without knowing however whether either of these towns would receive him, the parliament having in all those parts very active and vigilant agents, who employed all their pains to procure them adherents. For this reason the king marched but very slowly. When he came to Wellington, about seven miles from Shrewsbury†, he drew his little army together, and caused his military orders for the discipline thereof to be read before them; after which he took occasion to make a speech to his soldiers, and the better to satisfy them of his good intentions to the public, he made the following protestation.

The king's
protestation
at the head
of his army.
Sept. 19.
Rushworth,
V. p. 21.
Clarendon,
T. II. p. 13.

I do promise, in the name of Almighty God, and as I hope for his blessing and protection, that I will, to the utmost of my power, defend and maintain the true reformed protestant religion established in the church of England, and by the grace of God, in the same will live and die.

I desire to govern by all the known laws of the land, and that the liberty and property of the subject may be by them preserved, with the same care as my own just rights. And if it please God, by a blessing upon this army, raised for my necessary defence, to preserve me from this rebellion, I do solemnly and faithfully promise, in the sight of God, to maintain the just privileges and freedom of parliament, and to govern by the known laws of the land

* He marched from Nottingham to Derby, Stafford, Leicester; and so to Shrewsbury, where he set up a Mint. Rushworth, Tom. V. p. 20.

† The author says, just by Derby,

As there are abundance of these little geographical mistakes in the French, care will be taken to correct them all in the Translation, without troubling the reader every time with a note.

land to my utmost power, and particularly to observe inviolably CHAR. I.
the laws consented to me by this parliament. 1642.

In the mean while, if this time of war, and the great necessity and straits I am now driven to, beget any violation of those, I hope it shall be imputed by God and man to the authors of this war, and not to me, who have so earnestly laboured for the preservation of the peace of this kingdom.

When I willingly fail in these particulars, I will expect no aid or relief from any man, or protection from heaven: but in this resolution, I hope for the charitable assistance of all good men, and am confident of God's blessing.

The king was not contented with making this protestation to his army, but moreover, in all the considerable places he passed through, he assembled the inhabitants, and endeavoured to convince them of the sincerity of his intentions. These were necessary precautions, at a time when the chief point was to gain the people to his interest, for on the people depended the strength of both parties.

From Wellington the king marched to Shrewsbury, having received the agreeable news that the town had declared in his favour, and the inhabitants would give him a joyful reception. Here he resolved to fix his head quarters, and appoint the rendezvous of his army. This was a very convenient place to expect the troops which were levying for him in Wales, Yorkshires and Lancashire, and to send for his ordnance, which had not been able to follow him to Nottingham for want of horses. This had forced him to make use of a hundred draught-horses sent by the parliament to Chester, to be transported into Ireland. He desired to have the earl of Leicester's consent, who was appointed lord-lieutenant of Ireland, and was then with him at Nottingham. But the earl constantly refusing to give any orders about these horses, bought with the parliament's money, the king gained one Errington, a servant of the earl's, who took them in his master's name, and delivered them to the king. This the parliament, as hath been seen, taxed the king with. As for arms, the king not having a sufficient quantity for all the troops that were to come from divers parts, had taken the arms of the militia in all the places through which he passed: but it was by way of loan, that is, he obtained the consent of the officers of the militia to take away their arms, on promise of restoring them. As soon

He is received at Shrewsbury. Clarendon, T. II. p. 12.

He seizes some draught-horses designed for Ireland. Id. p. 27. Rushworth, V. p. 13.

He borrows the arms of the militia. Clarendon, T. II. p. 31. T. May.

§ The earl says in his letter, the king gave Errington a warrant to fetch the horses, which he executed without

his knowledge or consent. See the letter in Rushworth, Tom. V. p. 13, — 15.

CHAR. I. soon as the king came to Shrewsbury^h, the number of his troops so considerably increased, that in a few days he had

1642. an army of ten thousand foot, and four thousand horse, with which he was intirely secure from the danger he was in, whilst his army was forming.

He forms an army of fourteen thousand men.

Rushworth, V. p. 36.

The parliament's negligence in sending the earl his instructions.

The reason of it.

Clarendon, T. I. p. 14.

It is strange, that the earl of Essex should neither molest the king whilst at Nottingham, nor in his march to Shrewsbury. Probably, if presently after his arrival at Northampton he had marched directly against him, he would have greatly embarrassed him, and perhaps disabled him from assembling an army. This neglect can be ascribed only to his not having power to act directly against the king's person, till he received his instructions, which he expected every day, and which came too late. Both houses, it seems, could not believe, the king could be ready so soon as he was, and imagined, that his inability to raise men and money, would compel him to retire to some corner of the kingdom, or to throw himself into their arms. At least, this is what they strove to infuse into the people, for fear of terrifying them with the notion of a war, the event whereof might be doubtful.

The king raises money several ways.

Clarendon, T. II. p. 24.

27. The university of Oxford give him their plate.

The king sends Byron to Oxford.

Clarendon, T. II. p. 19.

The king made an advantage of this error, to assemble all his forces at Shrewsbury, and provide himself with money, which he wanted extremely. His friends at London had taken care of this last article, and privately sent considerable sums to Oxford. Moreover, the university, which had always been firmly attached to the king, had engaged to deliver to him all the plate belonging to the colleges, which was very considerable. The point was only how to convey this aid safely to his majesty. To that end, the king sent thither Sir John Byron, with a small detachment of horse, not daring to give him a stronger, for fear of raising a suspicion, that it was for some considerable affair. Byron coming to Oxford, received the money and plate, and returned toward Shrewsbury, by way of Worcester, taking all possible precautions not to be attacked in his march. For this aid of money, which the king could not be without, was of the utmost importance to him. Wherefore, the better to secure it, he detached prince Rupert with a body of horse, who marched on the other side of the Severn to Worcester, to expect Byron and guard him to Shrewsbury.

In the mean time, the earl of Essex, after staying some days at Northampton and securing Warwick, resolved to fix his head-quarters at Worcester. To that purpose, he sent colonel

^h Which was September 20. Clarendon, Tom. II. p. 14.

colonel Nathaniel Fiennes before, who came to Worcester at break of day, some hours after Sir John Byron was entered with his convoy. Fiennes, at his arrival being told, that there were some of the king's horse in the town, the number whereof he did not know, hastily retreated, without making any attempt. Presently after, prince Rupert arrived, and to secure Byron's convoy, who was resting himself in order to march on, passed through the town, and posted himself, with his horse, at some distance on the other side. As he did not believe there were any enemies in those parts, he was not very careful to hinder many of his troopers from staying in the town. When he came to the place he had chosen, he alighted with his brother prince Maurice, and most of the officers, reposing themselves on the ground. On a sudden they perceived, within musket-shot, five hundred horse of the enemy marching up a narrow lane. These were a body commanded by colonel Sandys, whom the earl of Essex had sent before to take possession of Worcester. Prince Rupert instantly mounting his horse, without a moment's hesitation, charged these troops, as they came out of the lane; and the charge was so vigorous, that the enemy was intirely routed, and Sandys slain, with thirty of his men. This action gained the prince a great name, not only for the valour he shewed, but chiefly for his sudden and very seasonable resolution, in attacking his enemies as they came out of the lane, and when they least expected it. Some historians in relating this skirmish, seem to represent prince Rupert, as one of those romantic heroes, who with five or six persons attacked and routed whole armies. But, after all, there is nothing wonderful in this action of the prince, who had not posted himself beyond Worcester, without having with him his detachment. Besides, it is not said, what was the number of the body he commanded. Nevertheless, this action, how little important soever it was, failed not to strike great terror into the parliament's troops, chiefly by reason of prince Rupert's activity and courage, who afterwards gave them cause to be confirmed in their high opinion of his valour, for he was one of the bravest princes in Europe. But though he had gained some little advantage, he did not think fit to expect the enemy at Worcester. He went from thence some hours after, and safely conducted the convoy of money to Shrewsbury, where the king immediately ordered the plate to be coined. The next day, the earl of Essex possessed himself of Worcester, and making

CHAR. I.
1642.

A fight at
Powick-
bridge near
Worcester,
wherein
prince Ru-
pert had the
advantage.
Sept. 22.
Rushworth,
V. p. 23.
Clarendon,
T. II. p. 19.
Ludlow.

Clarendon,
T. II. p. 27.

The earl of
Essex takes
several
places.
Whitelock.

CHAR. I. some stay there, secured in the mean while, Hereford, Gloucester, and Bristol.

1642.

It would doubtless be very strange, that in the twenty days the king stayed at Shrewsbury, his army should so greatly increase, if, as some say, it was the effect of the parliament's denial to treat with his majesty. For, so short a space does not seem sufficient to determine the people to repair to the places where they were listed, and to conduct these new raised troops to Shrewsbury. It may at least be affirmed, that it is much less surprising, that the king's new levies, which could not be ready whilst his majesty was at Nottingham, or which did not care to go to a place so exposed, would be in condition to march during his stay at Shrewsbury, tho' it was but of twenty days, since he had issued out his commissions before he left York.

The king
marches
towards
London.
Rushworth,
V. p. 33.
Clarendon,
T. II. p. 30.

However this be, the king finding himself at the head of an army little inferior in number to the earl of Essex's, and perceiving, it was not sufficient to remain in quiet at Shrewsbury, whilst the enemy was taking, without resistance, the principal towns in the heart of the kingdom, believed he ought to try to put a speedy conclusion to the war. There were two ways, one was to fight the enemies, the other, to gain some marches upon them, and appear near London, before they could arrive. The king took this last course, in the expectation that he should raise an universal consternation in London, which might afford his friends opportunity to serve him effectually. So, on a sudden beginning to march the 12th of October, with his army, which was not much incumbered with baggage, there being not one tent and but little artillery, he quartered that night at Bridgenorth, ten miles from Shrewsbury; the next day he came to Wolverhampton, the third to Birmingham, and the fourth to Kenelworth, where he rested one day. It was two days before the earl of Essex had notice of his march, and began to follow him. It evidently appears by the king's rout, that if he was not in quest of the enemies, at least he feared them not, since he could not be ignorant how easy it was for the earl of Essex, either to put himself in his way, or overtake him. In all likelihood, he imagined the earl would not dare to hazard a battle, or that being much more incumbered with baggage and artillery, his march would be considerably retarded. Be this as it will, it was not till the 22d of October, that the two armies came within six miles of one another, without having received any notice of each other's march, till that day, which appears very strange.

Essex follows him.
Ib. p. 34.

But

But what is still more surprising, is, that the king, to whom CHAR. I. speed was so necessary, had so little advanced in five days; 1642. since, leaving Kenelworth the 17th, he was on the 22d, but four miles north of Banbury, and that the earl of Essex, who departed the 15th from Worcester, should be only at Keinton the 22d, which is not above twenty miles. The king, who till then knew not where the earl of Essex was, lay incamped near a village called Edgcot, where he had intelligence the 22d in the night, that the enemies were at Keinton, about six miles distant. He found then it would be very difficult to execute his design upon London, whilst he should be so closely followed by the enemies. And therefore he resolved to give them battle. To that end, he drew up his army on Edge-hill, from whence might be seen all Keinton-plain, where the parliament's army stood in battle array, the 23d in the morning. The fight began not however till three in the afternoon. It is not known what induced the king to defer it so long¹: but for the earl of Essex, he had a very strong reason not to be in haste. For, Rushworth, V. p. 36. Clarendon, T. II. p. 34. not imagining himself so near a battle, he had left behind two thousand foot, and five hundred horse, with his artillery, and consequently, delay could not but be advantageous to him.

Prince Rupert, who commanded the king's right wing of Battle of horse^a, marching down the hill, and advancing to charge Keinton, or the enemies left wing, on a sudden, Sir Faithful Fortescue, Edge-hill, in who commanded a troop of the parliament's horse, moving Warwick- forward with his whole troop from the gross of the cavalry, shire. and joining prince Rupert, with his highness charged those Oft. 22. he had deserted^a. This unexpected accident inspired the Rushworth, V. p. 33, &c. parliament's horse with such a terror, each man looking up- Clarendon, T. II. p. 34, &c. on his companion as upon an enemy, that they were intirely routed, routed, T. May, Ludlow, Manley.

¹ The lord Clarendon says, though the horse were ready, the foot were quartered at such a distance, that many regiments marched seven or eight miles to the rendezvous, so that it was one o'clock before the king's forces moved. Tom. II. p. 35.

^a The left wing was commanded by commissary-general Wilmot, assisted by Sir Aurthur Aston. The earl of Lindsey led the foot, and next to him was his son the lord Willoughby, with the king's regiment.—On the parliament's side: Their right wing, which consisted of three regiments of horse, was commanded by Sir Philip Staple-

ton, Sir William Balfour, and the lord Fielding. Sir John Meldrum's brigade led the van, colonel Essex was in the middle, and colonel Ballard, and Hollis, and the lord Brooke, in the rear. In the left wing were twenty-four troops of horse, commanded by Sir James Ramsay. Clarendon, Tom. II. p. 35. Rushworth, Tom. V. p. 36.

^a Sir Faithful Fortescue was come from Ireland to hasten supplies, and had a troop of horse raised for him for that service, but his troops were disposed into the parliament's army, and he was now major to Sir William Waller. Clarendon, Tom. II. p. 36.

CHAR. I. routed, and pursued above two miles from the field of battle.

1642. By this unadvised pursuit, the king was in danger of the same fate which his predecessor Henry III. had at the battle of Lewes. The parliament's right wing stood their ground no better than the left. They ran away full speed, and were pursued with the same fury and imprudence. What was moreover fatal to the king was, that his reserve of a regiment of horse, thinking the victory unquestionable by the flight of the enemies cavalry, with spurs and loose reins followed the chace, and could not be hindered by their commanders.

All this while, the foot of both armies were engaged without victory's inclining to either side. But at last, Sir William Balfour, to whom the earl of Essex had given the command of the reserve, turned the scale. As soon as he saw the king's horse employed in the pursuit of the flying troops, he went and charged the foot in the flank, and put them into such disorder, that the king with the two princes his sons, were in danger of being made prisoners. The earl of Lindsey, the king's general, was taken, having been shot in the thigh, of which he died the next day; and the standard, which was always near the king's person, was lost by the death of the standard-bearer Sir Edmund Verney, but it was recovered afterwards in some unknown manner.

The return of prince Rupert, with his horse, prevented the king's intire defeat. For Balfour, who had only a small body of reserve, seeing the cavalry returning from the chace, suddenly quitted the fight, and secured himself near the earl of Essex's foot. Could the king and prince Rupert have persuaded their horse to charge the parliament's infantry, who had scarce any cavalry to support them, very probably they would have routed them, and obtained a complete victory. But the horse that were returned from the pursuit in extreme disorder, could never be brought to charge the enemies, who stood in good order, though they were in great danger. As soon as the earl of Essex saw the enemies cavalry returning, he had drawn off his infantry from the battle, and ranged them in the best manner he could, in order the better to support the charge of the king's horse, who, in all appearance, would come and attack them. But it was not his business to renew the fight. It was sufficient for

* It was rescued by captain John Smith, lieutenant of the lord John Steward's troop, newly returned from the execution of the runaways. He

was knighted for it, and made standard-bearer. Whitelock's Memoirs, p. 64. Tom. I. p. 49.

for him to keep his ground, as he did till night, which freed CHAR. I.
him from his uneasiness. 1642.

When the battle began, there remained not above two or three hours day, and as the king's horse had spent some time in the pursuit of the run-aways, and, after their return, could not be prevailed with to renew the fight, it was too late for the king to rally his infantry, who were in great disorder, and whereof above two thirds were missing. Both armies kept their posts all night, and in the morning neither thought themselves in condition to renew the battle. It is true, the forces left behind by the earl of Essex, arrived in the night with his artillery. However, as he had no other cavalry than the five hundred horse that were newly come, and the small body commanded by Balfour, he did not think he ought to hazard a second battle against a body of cavalry that had been victorious the day before, and were still facing his army. The king, on his side, finding himself without infantry, and considering that his troops had suffered very much by the cold, which was extremely sharp that night, believed it sufficient to let his enemies see he feared them not. In this disposition, the two armies faced one another the whole day, without any desire to engage. At last, the earl of Essex ordering his baggage to be drawn off, the king retired to the quarters he had taken the day before the battle, and the earl of Essex marched towards Warwick ^{p.} The T. II. p. 40. number of the slain on the field of battle was about five thousand. But what the earl of Clarendon says, that two days after, the king reviewing his army, found there were not above three hundred men lost, is hardly credible, even according to his own description of the battle. But without dwelling upon the particular circumstances of the battle, which were extremely disguised or exaggerated by both parties, who equally claimed the victory, the consequences demonstrate, that they might have more justly owned, that each had been worsted ^{q.} The king went from Shrewsbury with

^p Some of the earl of Essex's friends advised him rather to pursue the king, and to make a fresh attack upon him, But colonel Dalhier, and some others, dissuaded him from it. Whitelock, p. 64.

^q In this battle were killed on the king's side, Robert Bartu, earl of Lindsey, the lord Stewart, the lord Aubigny, son to the duke of Lenox, Sir Edmund Verney, &c. On the parliament's side, perished the lord Vol. X.

St. John of Bletzo, and colonel Charles Essex. The lord Willoughby was taken prisoner, in endeavouring to rescue his father the earl of Lindsey. Upon the news of this battle (says Whitelock, p. 64.) all counties were alarmed and frightened, being a strange thing in England, Clarendon, Tom. II. p. 40, 41. T. May. Some say, there were but about a thousand killed. See Manley, p. 48, &c.—With relation to this battle, Denzil lord Hollis tells

CHAR. I. with design to make an attempt upon London; but after 1642. the battle, he relinquished that thought, though the road to

London was open, and believed it more proper to retire to Oxford. On the other hand, the earl of Essex follows the king to obstruct his going to London, but after the battle leaves the way open to him, and retiring to Warwick, puts it out of his power to prevent or stop him. I believe this suffices to shew, it was a drawn-battle, which afforded no real matter of triumph either to the king or the parliament. Indeed, three or four days after the battle, the king took Banbury-castle, where was a garrison of eight hundred foot and a troop of horse. But if the circumstances of taking this place be well considered, it will be found, that it was far from being a consequence or effect of victory. For first, the king summoned the castle, contrary to the opinion of all his generals, who believed his army little able to undertake the siege. Secondly, he alledged for reason, that he could not determine what course to take, till he was informed of the intention of the enemies, and that if they designed to attack him, he could not fight in a more advantageous place. From hence it may be inferred, that he was not himself fully satisfied of the reality of his victory, since he imagined the earl of Essex in condition to attack him. In short, Banbury-castle surrendered at the first shot, which leaves it uncertain, whether the king would have persisted in the siege in case of resistance, and whether the earl of Essex would have suffered him to do it unmolested. The taking of Banbury determined the king to withdraw to Oxford, the only place in those parts at his devotion by means of the university, whose members were extremely attached to his interest.

The king retires to Oxford. Clarendon, T. II. p. 45. Great consternation in the parliament. The king's friends take occasion to propose a peace. Ibid.

Though the parliament challenged also the victory, they were very sensible they had no great reason to triumph. They were obliged however to make a parade of this pretended victory, as if it had been real, to contradict the king's friends who were trying to strike terror into the Londoners, and induce them to sue for peace, on account of the pretended

a remarkable story, from his own knowledge, concerning the famous Oliver Cromwell; and that shews (as he observes) "he was as arrant a coward, as he was notoriously perfidious, ambitious, and hypocritical. This was his base keeping out of the field at Keinton-battle; where he, with his troop of horse came not in, impudently and ridiculously

"affirming, the day after, That he had been all that day seeking the army and place of fight, though his quarters were but at a village near hand, whence he could not find his way, nor be directed by his ear, when the ordnance was heard twenty or thirty miles off." Hollis's Mem. p. 17.

tended success of his majesty's arms. The king had still many friends in the city, there having been yet no measures taken to drive them away. Nay, in the parliament itself, there were not a few who stayed there on purpose to do the king service, when occasion should offer, and who failed not to improve the present. The news concerning the battle of Edge-hill or Keinton, being very various at first, the king's friends at London, industriously manifested all the circumstances which might give room to believe that the king was victorious, in order to dispose the people to peace. For it must be observed, that since the breach, the king's grand aim had ever been to dazzle the people with the specious term of peace, and he had never ceased to hope that the nation would oblige the parliament to come to an agreement, by leaving him in possession of all his prerogatives. This was his favourite project, from which he never swerved, not even when his affairs were most prosperous. It will hereafter appear on sundry occasions, with what constancy he endeavoured to execute this scheme. The present occasion was the first since the beginning of the war. When both houses had perfect information of the success of the late battle, what public demonstrations soever they made, to cause the people to believe their army victorious, they were very sensible, such victories were little capable to oblige the king to throw himself into their arms, though the people had been amused with such hopes. Then the king's adherents who were still in the house of commons, observing the consternation expressed by most of the members, grew more bold, and scrupled not to propose a peace, as the only means to free themselves from trouble. Very probably, this was done with the king's consent, who at the same time was using his utmost endeavours to persuade the public, that he had obtained at Edge-hill a complete victory.

The day before the battle, both houses had published a declaration, of which I shall content myself with relating the substance: for having given so many of these papers, I am afraid I shall tire my readers if I insert here at large those that follow.

The two houses protested in the first place, "That no private passion or respect, no evil intention to his majesty's person, no design to the prejudice of his just honour and authority, engaged them to raise forces, and take up arms."

The parliament's declaration before the battle.
October 22.
Rushworth,
V. p. 26.

CHAR. I. "That his majesty had refused to receive an humble and
1642. dutiful petition, which they had directed the earl of Essex
to deliver to him.

"That they were fully convinced, that the king was so engaged to the popish party, that all hopes of peace were excluded.

"That great numbers of papists had in shew conformed themselves to the protestant religion, in order to qualify themselves for posts in the king's army.

"That his majesty endeavoured at first to keep off all jealousies and suspicions, by many fearful oaths and imprecations, concerning his purpose of maintaining the protestant religion, and the laws of the kingdom, causing some professed papists to be discharged out of his army, and none to be received that would not come to church, receive the sacrament, and take the oaths. But that afterwards his confidence in the priests did more clearly appear: persons imprisoned for priests and jesuits having been released out of the goal of Lancaster, and commissions granted to professed papists.

Here fourteen of them were named.

"That the lord Herbert, son to the earl of Worcester, a notorious papist, was made general of the king's troops in all South-Wales.

"That those who raised forces for his majesty in the North of England, did arm and employ papists.

"That men had been sent to Hamburg and Denmark to raise forces there, and to bring them over to join with the earl of Newcastle, and the army of papists which was intended to be raised in Newcastle.

"That the king had received in his court divers papists in Ireland: some of which were indicted of high-treason for their rebellion there; namely, the lord Taffe, &c.

"That divers English traitors were the chief counsellors and actors in this unnatural war, as the lord Digby, Oneal, Wilmot, Pollard, Ashburnham, &c.

"That divers jesuits and priests, in foreign parts, made great collections of money for the relief of the papists in Ireland, and the furthering of his majesty's designs against the parliament.

"For all which reasons they were resolved to enter into a solemn oath and covenant, and expected that their brethren of Scotland would help and assist them, according to the act of pacification between the two kingdoms."

The

The king answered this declaration with two others, ^{CHAR. I.} which were published after the battle of Edge-hill. In the 1642. first he said :

“ That notwithstanding the solemn protestation of both ^{Rushworth,} houses, of having no evil intention to his person, yet they ^{V. P. 29.} had used their utmost power, by the strength of their army, to have destroyed him.

“ That if he refused to give admittance to the petition sent by the earl of Essex, it was because it was sent by persons whom he had particularly accused of high-treason.

“ [*Here he gave a long account of the whole matter.*]

“ He denies his ever having had any inclination to the papists, or that he had released any priests or jesuits out of the goal of Lancaster.

“ He says, that the papists supposed to have commissions were not so much as known to him, and that they had no command, to his knowledge, in his army.

“ [*It must be observed, upon these two last articles, 1st, That the prisoners he had released out of the goal of Lancaster, had been imprisoned as papists, priests, and jesuits, but had not been convicted as such. And therefore the king thought he might deny he had released any priests, &c.*]

2dly, The king, when he said there was no popish officers in his army, meant by his army, that which he commanded in person, and the parliament understood that which was commanded by the earl of Newcastle. It might therefore be true, that the popish officers, commissioned by the earl of Newcastle, were not known to the king. But the army in the north was as much his army, as that commanded by himself.]

“ He expressly denied, that he ever sent to raise forces in Hamburg or Denmark.

“ He affirmed, the parliament entertained several papists in their troops, and of this he spoke knowingly, as having taken several of them prisoners at the battle of Edge-hill.

The second declaration was intitled, “ *His majesty's declaration to all his loving subjects, after his late victory against the rebels on Sunday the 23d of October, 1642.*” This title was prefixed on purpose to cherish the fears, the king's friends were endeavouring to infuse into the people, on account of the pretended victory lately obtained by the king over the parliament's army.

H 3

The

† Salmonet also owns, That there were some popish priests found among the persons slain on the parliament's side, Tom. I. p. 165.

CHAR. I. The intent of this declaration was to vindicate the king
 1642. upon three principal articles, namely, 1. That his majesty
 favoured popery, and employed papists in his army. 2.
 That his design was to root out parliaments. 3. That it
 was his intention, by the commission of array, to take away
 part of gentlemens estates from them. I shall speak here
 of the first only, because, after what has been seen, it would
 be needless to repeat what the king alledged in his vindica-
 tion upon the two last. As to the first therefore he said :

The king's
 answer con-
 cerning his
 employing
 papists.

“ That although he should employ papists, no one would
 wonder, who considered the hardships and straits he was
 driven to, and the little scruple the parliament made to
 employ popish officers and soldiers, who served in great
 numbers in their army ; the industry they used to corrupt
 their loyalty ; the private promises they allured them with
 to their service, even to the assuring them, that all the
 penal laws should be repealed. That notwithstanding
 the artifices of his enemies, and the weakness of his own
 condition, he could not prevail with himself to recal his
 proclamation, against receiving into his army such as had
 not taken the oaths. He owned, however, that he had
 swerved from this general rule, in favour of some of emi-
 nent abilities in command and conduct.”

We shall find hereafter, that though this proclamation
 was not recalled, it was very far from being punctually
 observed.

Presently after, both houses returned an answer to this
 declaration, the substance whereof was as follows :

The reply of
 both houses.
 Rushworth,
 v. p. 41.

“ That it was astonishing, the king, having affirmed so
 positively, that a far greater number of papists served in
 their army than in his, should not have been pleased to
 name a single instance : that they should have been glad
 of knowing their names, as it would have afforded means
 to remove those of that religion, who under the profes-
 sion of protestants, might have crept into the army with-
 out their privacy.”

Then they pretended to shew, by several reasons, the
 absurdity of saying, that the parliament endeavoured to cor-
 rupt the loyalty of the papists with the promise of repeal-
 ing the penal laws, and alledged divers instances of their
 severity against them, during the sitting of the present par-
 liament.

But for a demonstration, said they, that the king acted
 not with sincerity, when he alledged, in his vindication,
 that he had ordered no recusant to be received into his
 troops,

troops, and that this order was a meer illusion, they named CHAR. I. several popish officers, who had commissions under the 1642. king's own hand, which commissions then remained in the house of commons. Moreover, they annexed to this declaration a petition, presented to the king by the popish inhabitants of the county of Lancashire, desiring leave to provide themselves with arms for his service, and the king's answer granting their request. This petition and his majesty's answer, seem to me so decisive upon the present case, which was so often repeated, that I think they ought to be inserted in their own terms.

To the king's most excellent majesty.

The humble petition of us the inhabitants of Lancashire, whose names are under-written, in behalf of ourselves, and divers others, being recusants,

Humbly sheweth,

“**T**HAT whereas we, and the rest of this county, your majesty's most loyal subjects, are disarmed, and not sufficiently provided for the defence of your royal person, and our own families; our most humble supplication to your majesty is, That we may be received into your most gracious protection from violence, have our arms, taken from us, re-delivered in this time of actual war, and by your majesty's special directions, be enabled further to furnish ourselves with competency of weapons for the security of your royal person, (if we be thereto required) our countries and families, who now are, not only in danger of the common disturbances, but also menaced by unruly people to be robbed: And when, by the Almighty's assistance, your majesty's kingdom shall be settled, in case we be again disarmed, that a full value of money in lieu thereof may be restored.”

The king's answer.

To our trusty and well-beloved, Sir William Gerrard, baronet, Sir Cecil Trafford, knight, Thomas Clifton, Charles Townley, Christopher Anderton, and John Clansfield, and other of our subjects, esquires, in the county of Lancashire.

Charles R.

“**T**RUSTY and well-beloved, we greet you well. The king's Whereas by reason of the laws and statutes of our order for papists to provide arms. realm, by which all recusants convicted are to be without arms, your arms have been taken from you: so that Sept. 27. now, Rushworth, V. p. 30.

CHAR. I. "now, in this time of imminent danger, wherein there are
 1642, "armies raised against our commands, and contrary to our
 "proclamations, and are marching against us, and divers
 "of our good subjects, for obeying our lawful commands,
 "and opposing the rebellious proceedings of others ill-
 "affected, they are by a strong hand seized upon and im-
 "prisoned, their houses plundered, and their goods taken
 "away; and the like is threatned to ourselves, who, as all
 "other our subjects, ought to have our protection against
 "unlawful violence and force: And the laws made for
 "disarming recusants, were made only for a provision to
 "prevent a danger in time of peace, and were not intended
 "to bar you from a necessary use of arms in time of actual
 "war, for your own safety, or for the defence of our per-
 "son against all rebels and enemies, which by your duty
 "and allegiance you are bound unto; which is not, nor
 "ever was, meant to be discharged, or taken away by any
 "act; And whereas, the arms which were taken from
 "you, ought by law to have been kept and preserved, to
 "have been made use of by you in such time of open war,
 "or by such others as you should provide, yet under the
 "specious pretence of disarming recusants, and persons ill-
 "affected, your arms have been disposed and dispersed into
 "the hands of several persons ill-affected, and for the most
 "part, fomenters and excitors of the commotions now rai-
 "sed in this kingdom; our will and command therefore is,
 "and we charge and require you, upon your allegiance,
 "and as you tender the safety of our person, and the peace
 "and welfare of our kingdom, That you, with all possible
 "speed, provide sufficient arms for yourselves, your ser-
 "vants, and your tenants, which we authorize and require,
 "during the time of open war raised against us, to keep
 "and use for the defence of us, and of yourselves, and of
 "your country, against all forces and arms raised, or to be
 "raised against us, or against our consent, or contrary to
 "our proclamations, by colour of any order, or ordinance,
 "or authority whatsoever: And we shall (according as we
 "are bound to all our subjects) use our utmost powers for
 "the protection of you and yours, against all injuries and
 "violence. And whensoever these arms which you shall
 "so provide (after it shall please God to put an end to
 "these dangers and distractions) shall be taken away from
 "your custody, by reason of our laws now in force, we
 "do hereby assure you, we will allow you for the same,
 "so much as you shall have dispersed in provision thereof."

It is proper to observe, concerning these two papers, that CHAR. I. the question between the king and both houses was not, 1642. Whether the king might lawfully or not, employ papists in his service, but whether he did really employ them? Remarks on this subject. Care therefore must be taken, not to confound the right with the fact, the last only being the point in question. Now these two papers demonstrate, that the king actually employed papists in his service, even at the beginning of the war, and before any effusion of blood: for this petition was presented to him, whilst he was yet at Sarewisbury*.

For a greater conviction, both houses annexed also to their declaration, a list of the names of twenty-eight officers, colonels, lieutenant-colonels, serjeants, majors, captains, and lieutenants, that were papists, and actually in the king's service, in the earl of Newcastle's army. Rushworth, V. p. 50.

The king and the parliament were in this state of animosity, when his majesty's private friends in the house of commons moved to sue for peace, under colour of the parliament's inability to continue the war, after their late loss at Edge-hill. The king, on his part, to confirm the opinion his friends were striving to infuse into the people, that the parliament's army was entirely routed, and to encourage his well-wishers in London to join with those in the parliament, sent an offer of pardon to the cities of London and Westminster; thereby insinuating to the inhabitants, that such an offer could not but proceed from the superiority he had acquired by his victory. He practised the same thing with regard to some other towns. It is certain, there was then a great agitation in London, caused by the king's friends, who under pretence of dreading a war, which, according to them, was so unfortunately begun, used their utmost endeavours to induce the people openly to demand a peace. Against these secret practices, it was the business of the leading men in the parliament to provide. And as they were no less able than their adversaries, they quickly found means to baffle this project. Instead of opposing the motion to sue to the king for peace, they supported it with all their power. They said, "That the parliament had not taken arms for the sake of going to war, but only to procure a good peace, the most desirable thing in the world: That both houses ought not to be ashamed to make the first advances, and humbly sue for peace to their sovereign, but withal, care was to be taken, that a too great

The king offers a pardon to the city of London. Rushworth, V. p. 51, 54, &c.

Clarendon, T. II. p. 47.

Measures of the party opposite to the king.

* The king's answer in Rushworth is dated September 27, at Chester. Tom. V. p. 50.

CHAR. I. "great zeal for peace might not be a means to leave them
1642. "at the mercy of their enemies: That in order to make

"such a peace as was necessary to the welfare of the king-
dom, the king was to be told, that they were not yet
reduced to the point, of being forced to accept of such
terms as he should please to impose, and therefore, if
they would have a peace wherein every man might find
his safety, it was necessary to take good measures for the
continuance of the war: That among all the means
which could be used, they saw none more proper, than
to invite their brethren of Scotland to their assistance,
pursuant to the treaty between the two nations. Not
that they actually wanted them, the parliament's affairs
not being reduced to such an extremity, that foreigners
were to be hastily introduced into the kingdom, but that
the Scots would doubtless so answer their request, as to
convince the king, this refuge would not fail the two
houses in case of need: That thereby they should become
more formidable, and if the king was really desirous of
a peace, he would be forced to grant it upon reasonable
terms, which was all that ought to be expected."

The parlia-
ment re-
solves to de-
mand aid of
the Scots.
Clarendon,
T. II. p. 47,
&c.

As this advice was very plausible, and besides, proposed by men in whom the majority had great confidence, it was approved by the house. Indeed, none could be ignorant, that by the peace which the king had hitherto offered, and which his friends moved to sue for, could be meant only a peace that should put him in possession of all his prerogatives, and that his word should be taken for security that he would abuse them no more. But though the members of the parliament doubted not that the king would grant an act of oblivion, such as they should desire, they did not believe, that such a peace could be advantageous to the kingdom, because they did not believe the king's word to be a sufficient security. Besides, the presbyterians were no better pleased than they had been hitherto, with a peace which would of course restore episcopacy in all its former lustre. Wherefore things not being yet brought to that state, that the parliament should be induced to wish for such a peace, it was resolved, 1. That his majesty should be addressed for settling the peace of the kingdom. 2. That the preparations of forces and other necessary means for defence should be prosecuted with all vigour, if an honourable and safe peace might not be obtained. 3. That the Scots should be applied to for assistance, if there should be occasion. These resolutions entirely broke all the measures of the king's friends,

friends, who had flattered themselves, that the pretended victory of Edge-hill would produce some great effect. CHAR. I. 1642.

Pursuant to these resolutions, the parliament took care to recruit the earl of Essex's army, and to that end it was ordained, that such apprentices as should be lifted for soldiers, should reckon the time spent in the wars, as part of their apprenticeship. Whereupon great numbers of apprentices engaged in the parliament's service.

A declaration for encouraging apprentices to lift themselves in the parliament's army.

After that, both houses sent a declaration into Scotland, wherein they did not demand indeed an immediate aid, but said, "That they did not doubt but the Scots would assist them, if there should be occasion, according to the treaty of amity and alliance between the two nations. That therefore they desired them to raise such forces, as they should think sufficient to secure their own borders against the attempts of the army of papists, levied by the earl of Newcastle in the north of England. To engage them the more to what they desired, they said, the enemies of the protestant religion were so prevalent with his majesty, that he had rejected all the petitions presented to him. That the present war was for the maintenance of religion, against the efforts of those who had projected its destruction, and that in order to preserve it more effectually, they had willingly embraced the invitation of the Scots, to a nearer degree of union in matters of religion and church-government, which they had accordingly resolved to pursue."

Rushworth, V. p. 53. Clarendon, T. II. p. 48. The parliament's declaration to the Scots. Novemb. 7. Ibid. Rushworth, V. p. 393.

It was now some months since the Scotch commissioners residing at London, had intimated in a memorial presented to the parliament, that the Scots passionately desired an union of the churches of England and Scotland in the same worship and discipline. As this proposition was expressed by way of wish only, and besides was worded in such a manner, that it might be understood, either that the Scots desired the English to embrace the worship and discipline of the church of Scotland, or that they themselves were willing to conform to the church of England, the parliament had, in the same ambiguous terms, civilly answered, that they also wished the same thing, and would heartily concur in accomplishing the project. This answer was doubtless framed by the leading Presbyterians, to serve as a cornerstone, of which they hoped one day to make good use. But it was not yet time to declare their intention more openly, for fear of losing all the church of England men that were against the king. Probably these men would have been alarmed,

Remark on the proposition to unite the two churches. August 3. Rushworth, V. p. 337, &c.

CHAR. I. alarmed, if they had clearly known, that the presbyterians
 1642. meant to establish their worship and discipline upon the
 ruins of the church. For the same reasons also, in the declaration above-mentioned, both houses, or rather the directors, thought not proper to speak more plainly; and in saying, that both houses intended to pursue this union, the proposition was left in all its ambiguity, though it was easy for the Scots to perceive, that in time they should receive satisfaction. For it is not to be imagined, there were none but presbyterians in the parliament's party, though this may be the notion some would give us of that party, their aim being to insinuate, that the war between the king and the parliament was properly a religious war, and that the parliament's sole view was to destroy the church of England, and establish presbyterianism in its room. As this design was unjust in itself, they would infer, that the war against the king was unjust. This reasoning would be solid and convincing, were it true, that the opposite party to the king had proposed to themselves no other end. But as it is certain, the presbyterians were not the only persons that had cause to complain of the king, it is no less so, that the party of his enemies consisted not of presbyterians alone, but also of a very great number of church-men, who saw, that under colour of destroying presbyterianism, an arbitrary power was going to be established. It is easy to conceive, that these men were ill-affected to the king, had joined with the parliament, and as yet were attached to their party. But it is inconceivable, that the presbyterians, who at the beginning of the parliament made so inconsiderable a figure in both houses, as well as in the kingdom, should be grown so very numerous in the space of two years, or that the members of the church of England, who complained of the king's former administration, should have entirely renounced the church, and embraced presbyterianism. It is certain therefore, though the presbyterian party, considered as a religious party, had prevailed in the parliament, there were however in that same party, considered as enemies to the king, many churchmen who had no other view than the reformation of the civil government, and the security of the nation's liberties. These were the men the parliament were to manage, for fear of alarming them, till they could be engaged to turn presbyterians, either by the superiority the parliament should acquire in the course of the war, or by the absolute necessity they should be under of relinquish-
 ing

ing the people's liberties, or of recurring to the assistance of CHAR. I. the Scots, which could not be obtained but by changing the 1642. government of the church. On the other hand, the church of England-men could not take it ill, that the parliament managed the Scots, since their assistance might happen to be absolutely necessary. The ambiguous expressions therefore in the declaration, with respect to the union of the two churches, served to manage all those who were concerned for the parliament's affairs. The Scots were gladly suffered to think, that the proposition was understood in the sense they themselves gave it, and the church of England-men were told, that the parliament was properly bound to nothing, in promising to endeavour an union, because there was no more reason for the church of England to conform to that of Scotland, than for this to conform to that of England. That however great advantage would accrue from this pretended engagement, in that the king, from the apprehension of seeing the parliament closely united with Scotland, would be induced to make peace upon reasonable terms.

Though on this occasion, the king's enemies had gained some advantage in the parliament, his friends did not think themselves vanquished. They plainly saw, that so long as both houses should be able to act with freedom, the king's adversaries would be always superior, and that it was scarce possible to take away this freedom, without an extraordinary assistance. Wherefore whilst men were still in the agitation occasioned by the battle of Edge-hill, they sent the king word, that if he would appear before London with his army, they did not question, such commotions would be raised in the city, as would turn to his advantage, in which his friends would not fail to exert themselves to the utmost of their power. This made him resolve to march to London. To that end, he ordered a body of horse to go forward, who advancing to Reading, the parliament's troops, quartered there, were seized with such a terror, that they entirely abandoned the place, and the king came thither soon after with his army. Both houses were alarmed when they heard the king was within thirty miles of London. So, whether for that reason, or with design to amuse him, they sent and desired a safe-conduct for a committee of lords and commons to attend his majesty with a petition for peace, pursuant to a resolution taken some days before. The king granted a safe-conduct for the committee, excepting only

New projects
of the king's
friends in
London.
Clarendon,
T: II. p. 54.

The king
marches to
Reading.

Both houses
petition for a
treaty.
Nov. 3. 11.
Rushworth,
V. P. 56.
58.
Difficulty
about a safe-
conduct,

Sir

CHAR. I. Sir John Evelyn, because he was proclaimed traitor¹. In 1642. the mean time, both houses had advice that the earl of Essex

was marching towards London with the utmost speed. For this cause they were in no haste to send the committee to the king, on pretence of his scrupling to admit Evelyn. It is hard to conceive why the king, who could not be ignorant, that the execution of his project depended upon expedition, stayed long enough at Reading to give the earl of Essex time to come to London as soon as himself. However this be, he marched the 11th of November to Colebrook, fifteen miles from London. Mean while the earl of Essex's army arrived about the same time, in the neighbourhood of London. But whether it was not ready soon enough, or the parliament was alarmed, the committee was sent to his majesty the same day, with a very humble petition, to appoint a place for the treaty. The king returned a gracious answer to the petition, testifying, he wished for nothing more than a peace, and to that end, was content to enter into a treaty. The committee returning to London with this answer, the parliament immediately sent orders to their forces not to exercise any hostility. But presently after the departure of the committee, the king began to march towards Brentford, which is but seven miles from London, and arriving there the 12th in the morning, attacked the town, where some of the parliament's troops were quartered, and became master of it, after some resistance². Immediately after he sent a message to both houses to inform them, that since his answer to their petition last night, he had received advice, that the earl of Essex was drawing his forces out of London towards him, which had obliged him to march to Brentford: that however he was still desirous of peace, and expected their committee at Brentford that night, or early the next morning.

Clarendon,
T. II. p. 56.
57.

He assaults
Brentford.
Rushworth,
V. p. 59.
T. May.
Ludlow.

He retires to
Kingston.
Rushworth,
V. p. 55, 59.
Clarendon,
II. p. 58.

The earl of Essex's army was indeed arrived near London the 7th, and the earl himself was actually in the house of peers the 12th, during the assault of Brentford. Whereupon both houses ordered the lord-mayor to send out the trained-

¹ This committee consisted of Algernon Percy, earl of Northumberland, Philip Herbert, earl of Pembroke, the lord Wenman, Mr. Pierrepoint, and Sir John Hippeley. Rushworth, Tom. V. p. 57.

² Part of colonel Hollis's regiment were quartered there, who made a vigorous defence, but would, in all probability, have been most of them cut

off, if the lord Brook's and colonel Hampden's regiment had not come to their relief, and maintained a fierce and bloody fight till night, wherein many were slain, others driven into the river, and many taken prisoners. So that they quitted the town in the night, and the king possessed it. Rushworth, T. V. p. 59. Whitelock, p. 65.

trained-bands, to join with the earl of Essex's army, and by CHAR. I. that it became much superior to the king's ^u. The same 1642. day the general made the necessary preparations for battle; but the king not thinking fit to expect him, retired towards Kingston.

The parliament complained, the king had deceived them under the false show of desiring to treat of a peace, since immediately after the departure of the committee, he marched to surprize Brentford. The king justified himself two ways. He said first, that not only there was no truce agreed upon, but none so much as desired. Secondly, that after the committee's departure, he received certain information, that the earl of Essex had sent forces to Kingston, Acton, and other places, to surround him, which had obliged him to advance to Brentford. The former of these reasons was the best, for there being no cessation of arms, he might justly take all advantages as he thought proper. But he insisted the least upon this, for being disappointed, he would not have it appear that his design was to become master of London, or at least to raise commotions there in his favour, for fear of exposing his friends to a strict inquisition. The latter was not of the same force. For if he was afraid of being surrounded at Colebrook, he did not avoid that inconvenience, by advancing eight miles nearer London. He rather made it greater by that march, unless he advanced with design to attack the enemy, which did not appear by his conduct.

The king is furnished with another reason, not contained in a sort of manifesto, published by himself on this occasion. Prince Rupert, it is said, had advanced to Hounslow with the horse, without the king's order, and when there, was informed that the parliament had sent forces to Kingston, Acton, and other places: so, finding he was going to be surrounded, sent to the king to desire him to advance with his infantry to disengage him. This reason to me seems so very weak, that I should think it needless to refute it, if it did not come from the illustrious author of the history of those times. I will not say, that it does not much redound to prince Rupert's honour to affirm, he had advanced without the king's order with his cavalry, which too is not very likely. But first, if the prince did think himself in danger, it was much easier for him to retire to the king, than for the king to march to his relief. Secondly, what probability was there, that the parliament's forces, which are supposed

^u The whole army, of horse and foot, consisted of about twenty-four thousand men. Idem, p. 66.

CHAR. I. posed to have been detached to surround the prince, should
 1642. post themselves between him and the king? Thirdly, the
 { earl of Essex's army came near London but that very day,
 and was not in condition to march ten or twelve miles farther
 to attack the prince.

It is therefore extremely probable, that the king, when he left Oxford, intended to surprize London, or hoped that his friends would so manage, that he should be received there without opposition, before the earl of Essex could arrive. But he either lost too much time at Reading, or was prevented by the earl's expedition. Nevertheless, since he was not ignorant that the parliament's forces were now very near London, one cannot well see what it signified to attack Brentford, unless it was to brave the parliament, or having first designed to give battle he had altered his mind upon hearing that the trained-bands of London were sent out to join the earl of Essex. Be this as it will, having missed his aim, he was forced to frame reasons to colour his attack of Brentford, and to try to persuade the people, it was done only in his own defence. After all, it is very likely, that when he sent back the committee from Colebrook, he was determined to march to Brentford, and was not sorry the parliament amused themselves with the hopes of a treaty. At least, the reasons he alledged in his vindication did not prove the contrary.

Military
 actions in
 several
 places.
 Whitelock,
 p. 66.

The war continued all the winter in several parts of the kingdom, there being scarce a county free from it. My design is not to descend to the particulars of all the skirmishes and conflicts during the war. Such circumstances may be agreeable to the English, who are acquainted with the situation of the places, or concerned for the honour of those who signalized themselves on these occasions. But foreigners, for whom I write, being little concerned, I shall confine myself briefly to relate some of the principal actions.

In the north.
 Decemb. 1.
 Rushworth,
 V. p. 65.

In the beginning of December, the earl of Newcastle, who had levied an army for the king in the northern parts, began his march towards York. He was stopped at the passage of the river Tees, which parts the bishopric of Durham from Yorkshire, by young Hotham, who had with him a detachment of the little army commanded by the lord Fairfax in that county for the parliament: but the earl forced the passage, and came to York, with about eight thousand men.

Tadcaster
 and Oisbo-
 rough fights,
 p. 91

There were likewise during the winter, in the same county, two pretty warm actions. The first at Tadcaster, where

where the lord Fairfax was intrenched, and where he was CHAR. I. 1642.
 attacked by the earl of Newcastle, who, after an obstinate
 dispute, was obliged at last to retreat. The second was at
 Gūborough, where Sir Hugh Cholmley defeated six hundred Jan. 16.
1642-3.
 of the king's party, commanded by colonel Slingsby, who
 was taken prisoner with a good number of his men.

Some days after, Sir Thomas Fairfax the general's son, Taking of
Leeds.
Jan. 23.
 attacked the town of Leeds, defended by Sir William Savil
 with fifteen hundred men, carried it by storm, and took
 five hundred prisoners. These were the most remarkable
 actions in the north, during the winter that followed the
 first campaign.

In the south, Sir William Waller, commander for the In the South
Waller takes
Farnham
and Chi-
chester.
Dec. 29.
Rushworth,
V. p. 100.
 parliament, blew up Farnham-castle, and made the garrison
 prisoners of war. Shortly after he took Winchester, and
 then Chichester, after an eight days siege.

In the midland counties, several notable actions, though In the mid-
land counties
Wilmot
takes Marl-
borough. Id.
p. 82. Cla-
rendon, II.
p. 63, 64.
 little decisive, were also performed. The 5th of December, the lord
 Wilmot commissary-general of the king's horse, the lord
 Digby, and others, attacked the town of Marlborough, for-
 tified by the parliament, where was a numerous garrison.
 The town being carried by storm, was plundered and burnt,
 and about a thousand of the garrison slain and taken pri-
 soners.

February the second, prince Rupert took Cirencester by
 storm, and made twelve hundred prisoners *.

March the first, the lord Brooke attacked some of the V. p. 139,
131.
Litchfield
taken.
The lord
Brooke's
death. p. 147.
Battle of
Hopton, or
Salt-heath.
Id. p. 152.
Northamp-
ton's death.
Waller de-
feats the lord
Herbert. Id.
p. 263.
Clarendon,
II. p. 63, 96.
97, 113, 114,
115, 118,
119.
 king's forces intrenched in the close of the cathedral of Lich-
 field, and was there slain; but after his death his men car-
 ried the close.

The 19th of the same month a battle was fought at Salt-
 heath near Stafford, which was maintained on both sides
 four hours, till at last Spencer Compton earl of Northamp-
 ton, who commanded the king's forces, being slain, the par-
 liament's troops became victorious.

The same day Sir William Waller surprized the lord
 Herbert, who was besieging Gloucester, killed five hundred
 of his men, and took above a thousand prisoners. After
 that, he took Chepstow in Monmouthshire, and then the
 town of Monmouth itself.

* Among whom were Warnford
 and Petty-place, (two gentlemen of
 good quality and fortune hear that
 town) and Mr. George, who saved

for that borough. Above two hun-
 dred were slain. Clarend. Tom. II.
 p. 97.

CHAR. I. taxed the counties in his power, it was always with the consent of the inhabitants. But this is a kind of artifice to deceive the reader. For it means nothing more, than that some of the leading men of a town or county were gained, by whom it was resolved to give the king such a sum, after which it would have been in vain for the rest to oppose it, or refuse to pay their share. The parliament proceeded in much the same manner. They demanded for the maintenance of the war contributions, which they termed voluntary, but which were very far from being so. This very clearly appeared in an ordinance of the 29th of November, 1642. for assembling such as had not freely contributed. The king, considering this ordinance as an express breach of the law, issued out a proclamation, enjoining all his subjects not to submit to it. He published another of the same nature, to command all persons not to execute the ordinance of parliament for paying tunnage and poundage to the two houses. All this was founded upon the laws, requiring the royal assent for the imposition of taxes. But such were the times, that a strict observance of the laws was become impracticable. The parliament answered this last proclamation, not by acknowledging, the laws were violated by their ordinance, but by saying, that the statute urged by the king, was made to hinder the king from imposing any tax, without the consent of both houses, and not to divest the parliament of a right to impose what they thought proper. It is easy to perceive, that this was only a cavil, since the king's consent was no less necessary for imposing a tax, than that of both houses. Or rather, they had no right, neither the one nor the other separately, if the laws had been kept to. And yet the king, in the next February, published another proclamation, ordering that the customs upon goods imported, should be paid him at Oxford, which, in all appearance, was not performed. This subject so often returns, not only with respect to levies of money, but also with regard to every thing enjoined separately by the king or both houses, that it will not be amiss to have some knowledge of the principles of both parties, in order to avoid passing a wrong judgment *.

Rushworth,
V. p. 71.

P. 73.

p. 87.

p. 88.
Clarendon,
II. p. 69.

Rushworth,
V. p. 146.

* According to some authors, the parliament raised in all upon the nation, during the course of the civil war and afterwards, above ninety five millions, five hundred and twelve thousand pounds. And, according to Mr. Walker, there was levied, from the year 1641 to 1647, above forty mil-

lions in money, and money-worth. See Hist. of Taxes, p. 289, 297. In March 1642, they made an ordinance for raising thirty four thousand, one hundred and eight pounds, thirteen shillings per week. Rushworth, Tom. V. p. 150.

Ever

Ever since the beginning of this parliament, the king had constantly professed a strict adherence to the laws of the land. This he perpetually opposed to the conduct and pretensions of the parliament. When the war was begun, he pretended in the like manner, that the laws were to be observed with the same strictness as in full peace. It is very visible, how advantageous to him this principle was. According to the law, the two houses could raise neither men nor money, much less employ them against their sovereign; for he always supposed the war was only defensive on his part. He found therefore no better way to restore the public tranquillity than to adhere to the laws, on the observance whereof depended the nation's happiness. Nothing was truer than this principle, taken in general, and independently of the particular case the kingdom was in. But, as the king himself owned, the laws being only an empty name, if not kept, and the executive power being lodged in the king's hand, the point was to know, Whether the king could be relied upon for the discharge of this trust, after what had passed the fifteen first years of his reign? There lay the difficulty of the question between the king and the parliament; to solve which the king offered only his bare word, whereon the parliament could not, or would not, rely. It is therefore evident, that when the king urged the laws in his behalf, he said nothing that in the least prejudiced the parliament's claims. The thing was not to know, Whether the laws ascribed such or such prerogatives to the sovereign? The parliament did not deny it: but the question was to know, Whether the king was to be trusted with the executive power, after what had passed? So the whole difficulty consisted in knowing, by what means the execution of these same laws, agreed to by both parties, might be secured. The king carefully avoided the examination of this point, whether the people had a right to demand security of him, and used his utmost endeavours to reduce the dispute to this, *Whether this or that were enjoined by the laws?* This is the ruling principle in all his papers, without one exception.

On the other hand, the parliament were no less embarrassed. It is true, they clearly showed, the king had abused his prerogatives, whilst he fully enjoyed them, and from thence inferred, it was necessary to reduce his power within certain bounds. But they supposed, that in order to reduce him within these bounds, there was no other way than to strip him entirely of this same power, by depriving him of

CHAR. I.
1642.
Remark on
the princi-
ples the
king would
establish.

CHAR. I. the command of the militia, and some other prerogatives.
1642.

The question in this respect was therefore, Whether it was possible to find expedients, which being added to the king's word and oath, might secure to the nation their liberties. But the two houses industriously avoided to enter upon that question. They were contented to suppose, without alleging any positive proof, that the king had taken up arms to destroy the privileges of the people and parliament, and consequently the war was but defensive on their part. By that they pretended to vindicate their daily manifest breaches of the laws, representing them as absolutely necessary to attain the end they proposed to themselves, of settling the peace of the kingdom. One can scarce help perceiving in this conduct, the aim of certain men, who laboured to render an accommodation impracticable, the better to execute the project of altering the government of the church, to which a peace would have brought insuperable obstacles. Could the king have prevailed with himself to consent to that change, expedients would not have been wanted to adjust the other points. We shall be convinced of this hereafter, when we come to see the difficulties of the peace reduced, as I may say, to this single article.

Association
of the nor-
thern coun-
ties of the
king.
Rushworth,
V. p. 66.

The king, as I said, had sent the earl of Newcastle into the north, to gain to his party the bishopric of Durham, with the counties of Northumberland, Cumberland, and Westmoreland, and to levy an army. The earl happily executed the king's design. He so managed, that these four counties entered into association to furnish him at the common expence, with men and money, so that he raised an army of eight thousand men. But at the same time, he taught the king's enemies to form the like associations, which perhaps they would never have thought of. As soon as the parliament was informed of this association, they ordered the like to be entered into by the counties that owned their authority, and appointed generals to command their forces. The lord Fairfax was made general of Yorkshire, Sir William Brereton of Cheshire, Sir William Waller of Hampshire, the lord Grey of Lancashire, major-general Brown of Berkshire, the earl of Denbigh of Shropshire, colonel Middleton of Wales, and the earl of Manchester of Essex, and the counties adjoining, called the eastern counties, namely, Essex, Cambridge, Isle of Ely, Hertford, Norfolk,

The like
association
for the par-
liament.
Nov. 23.
Id. p. 64,
66, 67, 95,
96.

* It is more likely that it was his son Basil lord Fielding, for the earl but Basil was in arms for the parliament.
said slain at Broomingham in Apr. 1643.

folk, Suffolk, and the city of Norwich^b. By means of these associations, the parliament had forces always ready, who indeed were designed only for the defence of the associated counties, but were however employed sometimes in other services. The king frequently tried to prevent these associations in counties where he knew he had a good number of friends, as for instance, in Kent, and some others. But when both houses perceived the king's practices were like to prevail in any of the counties where they were superior, they obliged them to associate with others, and furnish their quota.

Besides these associates between the counties of the same party, there were also at the beginning of the war, private agreements between neighbouring counties of different parties, to observe, between them, an exact neutrality. These agreements were founded on the common advantages of the contracting counties, as they removed the war from their own doors, and settled a mutual commerce between them, which they could not well be without. I have given an instance in the counties of Devon and Cornwall. The like agreement was made between the two parties in Yorkshire and Cheshire. But the parliament refused to authorise these private agreements, because they were too advantageous to the king, who in the end would have been able, by that means, to assemble all his forces in one place, whereas he was obliged to disperse them throughout the whole kingdom. Besides, the king's party had so well managed his concerns, that these agreements were made only in places where it was for his advantage; as for example, in Yorkshire, where the sole view was to stop the inroads of the garrison of Pontfret castle, which very much annoyed the city of York.

The king retiring to Oxford, after the Brentford affair, carried thither the prisoners taken at Brentford and Edgemoor. Within few days after his return, he granted to Sir Robert Heath a commission of oyer and terminer, to try some of the prisoners, among whom was captain John Lilburn, who, with some others, was condemned to die, for being taken in arms against the king. The parliament having notice of this sentence before its execution, declared, that if any prisoner of war should be put to death at Oxford or elsewhere, they would inflict the like punishment upon such prisoners as were or should be taken hereafter.

I 4

^b These were afterwards generally called the associated counties. Whitelock, p. 66.

CHAR. I.
1642.

p. 143.

Neutrality.
Rushworth,
V. p. 100.

The parliament sets them aside.
Id. p. 101.
Clarendon, II. p. 106.

The king causes some prisoners to be condemned.
Dec. 6.
Rushworth, V. p. 83.
The parliament threatens to do the like.
Id. p. 93.
Clarendon, II. p. 68.

CHAR. I. after. This declaration saved the lives of the condemned,
 1642. the king not thinking proper to expose his officers to the
 same fate.

1642-3. Though the measures of the king's friends to oblige the
 parliament to make peace were broken, as I said, they were
 not discouraged. As the king, after the business of Brent-
 ford, had fortified Reading, and left there a strong garrison,
 they pretended, the inhabitants of London had cause
 to be extremely alarmed at their neighbourhood. So under
 colour of preventing the danger, they drew a petition, to
 which they procured as many hands as possible, to desire
 leave of both houses to present to the king some proposi-
 tions, which he might consent to with honour. Many of
 the inhabitants of Westminster, and of the parishes of St.
 Martin's and Covent-Garden, known to be the king's ad-
 herents, prepared also the like petition. It was a very un-
 common thing, and of dangerous consequence, for private
 persons, without the interposition or approbation of the ma-
 gistrates, to take upon them to make overtures of peace to
 the king. Accordingly, the parliament would not receive
 their petition, nay, ordered that the authors should be
 brought to justice. Probably, they did not expect the par-
 liament would use their mediation for a peace: but in pub-
 lishing this petition, wherein they called themselves the
 richest and most considerable inhabitants of London, their
 aim was to insinuate to the people, that the honest part of
 the citizens wished for peace upon more moderate terms
 than the parliament, but were restrained by the magistrates.

The parlia-
 ment op-
 poses it.

Petition of
 the mayor
 and alder-
 men of
 London.

Rushworth,
 V. p. 110.
 Clarendon,
 II. p. 82, 83.

The two houses fully perceiving the motives of the peti-
 tion, ordered it so that the mayor, aldermen, and common-
 council of London, sent a very humble petition to the king,
 wherein they took care to clear themselves from all disloy-
 alty, and expressed an earnest desire of peace. To that
 purpose, they besought his majesty to return to his parlia-
 ment, accompanied with his royal not martial attendance;
 that whatsoever was amiss in church and state might be re-
 formed by the advice of both houses, and such a peace ob-
 tained, as should be for the honour of his majesty, and the
 welfare of his subjects. This petition showed, that the
 city of London desired no other peace than what the parlia-
 ment should agree upon with the king. It had this advan-
 tage of the first, that it came from the mayor and com-
 mon-council, whereas the other was subscribed only by pri-
 vate hands.

The king was really persuaded, that the Londoners desired and would accept of such a peace as he should be pleased to grant, but that the magistrates, in concert with the parliament, did their utmost to prevent it. This petition being presented to him the 10th of January 1642-3, he returned a very gracious answer, and gave it in writing to the committee of aldermen. He said, "That he never entertained any misapprehension of the loyalty of his city of London, or of the inhabitants in general: but could not say the same with regard to their magistrates, and particularly alderman Pennington, their pretended lord-mayor, and two or three more², who endeavoured, with all their power, to prevent the people, and excite them to rebellion. Then he enumerated all the outrages exercised at London upon himself and the laws, and assured, he was ready to return to them, when they should be in a fit posture to receive him with honour and safety, and had apprehended the disturbers of the public peace, that they might be proceeded against by course of law, as guilty of high-treason." The king greatly flattered himself with respect to his papers, which he readily believed to be unanswerable. But the wonderful effects he hoped from thence did not always answer his expectations. In this belief, when he delivered his answer in writing to the committee of aldermen, he told them, it was his desire, that it should be read publicly at a common-hall and before the people. The lord-mayor, with the consent of both houses, willingly gave his majesty this satisfaction, and his answer was accordingly read in public. But the parliament had sent a committee of lords and commons to be present at the reading, and afterwards to reject the king's answer. This did Mr. Pym, one of the committee, in a set speech, the design whereof was to show, that the king's whole answer was full of scandalous and injurious aspersions upon the city and parliament. So the king had little reason to be satisfied with the success of his answer, on which however he had much depended, imagining it would be capable of sowing discord between the people of London and the magistrates.

Some days after, the king sent to the sheriffs of London a declaration, grievously complaining of Pym's speech, and of the publication of a pamphlet in the city in his name, as if he retracted his former promises. He required also the master and wardens of the several companies of the city, to summon all their members, and read this declaration with

his

CHAR. I.
1642-3.

The king's
answer.
Id. p. 85.

The king's
answer is
read in
public,
Jan. 13.
Id. p. 87.

and replied
to by Pym.
Rushworth,
V. p. 113.
Clarendon,
II. p. 28.

The king's
order to the
sheriffs of
London,
Jan. 17.
Rushworth,
V. p. 120.

² Ven, Foulk, and Manwaring, are named by the king.

CHAR. I. his fore-mentioned answer, publicly in their several halls.
 1642-3. He declared that Isaac Pennington not being regularly elected according to their charter, or lawfully admitted, could not be looked upon as lord-mayor of London, and ordered the sheriffs to commit him to safe custody, with some other aldermen. But the parliament perceiving, the king's aim was to incite the people of London against their magistrates, commanded the sheriffs not to execute the order.

Order of
 both houses
 concerning
 spies,
 Jan. 16.
 Id. p. 117,
 118.

Disputes a-
 bout the
 papists in
 both armies.
 Id. p. 78,
 131, — 141.

As the king frequently sent private agents to London, to correspond with his friends there, and to be fully informed of what passed in the city and parliament, both houses thought proper, in order to render this practice more difficult, to declare, that all persons coming from the king's quarters to London without a safe-conduct, should be treated as spies.

During the winter before the opening of the second campaign, the contest about the number of papists in the service of the king and of the parliament was renewed, on occasion of some papers published by the earl of Newcastle, and the lord Fairfax against each other. The earl of Newcastle did not deny that he had papists in his army; but maintained, they were few in number, and besides, it was lawful to employ them, since it was not because of their religion, but for their loyalty. On the other hand, he affirmed, there were great numbers in the parliament's army, and appealed for the truth of what he said to their muster-rolls. I confess this proof to me seems of no weight. For besides that these rolls were not published, and consequently not easy to be examined, probably the religion of the officers and soldiers was not specified^d. However, the king and the earl of Newcastle openly asserted, there were many papists in the parliament's army. The earl of Clarendon has advanced the same thing: but in all their writings, there is not a single catholic named; whereas the parliament produced lists of popish officers in the king's service, with their names, quality, and employs. Besides, it is easy to see, that the king, according to his principles and behaviour to the papists, from the beginning of his reign, made no scruple to employ them, and that they themselves could expect some advantage in

^d The earl says, in one of his papers, "That the parliament had had, for many months, great numbers under their pay, both English, French, and other nations, whom, at the time of their enrolment, and ever since, they did know to have been professed papists: whereas, it was notoriously known, that before

" this course was taken on the other party, his majesty and his ministers did not admit to, nor continue any soldiers in pay, who were suspected to be that way inclined, or did refuse the oaths of allegiance and supremacy." Rushworth, Tom. V. p. 80.

in serving him. But what interest the parliament could have CHAR. I.
 to employ catholics, or what advantage could accrue to 1642-3.
 them from that service, does not so clearly appear. Never-
 theless, the imputation perpetually cast upon him afterwards
 of having popish armies, because he refused not the assistance
 of papists, and the consequence drawn from thence, that
 his design was to destroy the protestant religion, must be
 deemed a very great aggravation, and a mere calumny to
 render the king odious.

Since the queen was in Holland, she had not been idle. Supplies sent to the king from Holland.
 She laboured effectually to procure the king officers, arms,
 and ammunition, which was facilitated by the prince of
 Orange her son-in-law's credit. Clarendon, I. p. 416, II. p. 109.
 September 1642, both houses sent an agent, Walter Strickland, to the Hague, to
 complain to the states-general of the preparations making The parliament sends Strickland to the Hague.
 in Holland for the king, and of the supplies that were sent
 him. But Strickland was received very coldly, by reason of
 the prince of Orange's credit in the assembly of the states.
 Besides, the states-general did not consider him as a public
 minister, because hitherto the parliament had never sent
 agents abroad in their own name. They were contented
 therefore to depute one of the members of their assembly, He meets with a cold reception. Rushworth, V. p. 157.
 to know what he had to say. Strickland put into their hands
 a declaration from the parliament, to this effect:

"That the lords and commons understood by an inter- He delivers to the states a declaration of both houses.
 cepted letter of the lord Digby's, that he had addressed
 himself to the prince of Orange, and by his countenance
 and help made provision of great quantities of ordnance,
 powder, arms, and divers other sorts of warlike provi- Ibid. Clarendon, II. p. 69.
 sion: and the said prince, the better to encourage divers
 commanders of English regiments in the service of the
 states, to resort to the king's aid against the parliament,
 had promised to reserve their places for them in their
 absence.

"That they could not believe, this was done by any au-
 thority of the states, considering the great help they had
 received from England, when they lay under the heavy
 oppression of their princes. Neither could they think,
 that they would be forward to help to make those slaves,
 who had been useful and assistant in making them free-
 men: or that they would forget, that the troubles and
 dangers of them both issued from the same fountain, and
 that those who were set at work to undermine religion
 and liberty in England, were the same, which by open
 force had sought to do the like in the low-countries.

"That

CHAR. I.

1642-3.

“ That it could not be unknown to them, that the jesuitical faction had corrupted the king’s counsels, and the conscience of a great part of the clergy, plotted to destroy the parliament, raised a cruel rebellion in Ireland, endeavoured to divide the king from his parliament and people, and by false slanders incensed his majesty so, as that he had resolved to set up his standard, and draw his sword for the destruction of his people, whom by the laws and constitution of the kingdom he is bound to preserve and protect.

“ That the question was not, whether the king should enjoy the same prerogative and power which belonged to former kings his predecessors; but whether that prerogative and power should be employed to the defence or the ruin of the kingdom.

“ That it could not be denied, but that it would be more honour and wealth, safety and greatness to his majesty, in concurring with his parliament, than in the course he was in; but that his counsellors looked more upon the prevailing of their own party, than upon any of those great advantages, which he might obtain by joining with his people.

“ That both houses had lately expressed so earnest inclinations to a national love and amity with the United Provinces, that they had petitioned his majesty, that they might be joined with them in a more near and strait league and union: and they could not but expect some returns from them of the like expressions; therefore desired, that they would be so far from blowing the fire which began to kindle amongst them, that they would rather endeavour to quench it by strengthening and encouraging them, who had no other design but not to be destroyed, and to preserve their religion.”

Holland and Zealand
promise to
stand neuter;
Rushworth,
V. p. 159,
160.

This declaration was long neglected, the states-general not vouchsafing to return any answer. At length, Strickland having presented it to the states of Holland, they promised to observe a strict neutrality, and engaged the province of Zealand to take the same resolution. They even arrested some ships laden with ammunition and soldiers for the king. Then the states-general could no longer help taking notice of the parliament’s declaration, and returned in answer:

The answer
of the states-
general.

Id. p. 160.

“ That they would expressly forbid every body to transport any weapons or warlike ammunition into England, and would gladly employ their mediation for putting an end to the troubles.”

But

But this could not hinder the indirect supplies that were sent to the king, by reason of the prince of Orange's great credit. During the winter, general King, a Scotchman, brought his majesty ordnance and ammunition^c, and general Goring brought over some English officers that were in the service of the states. It is true, that from time to time the English ships seized some of those vessels that were sent to the king. Strickland made frequent complaints of the supplies: but the states-general took no notice of them. Nay, they granted the queen, who was preparing to return to England, so large and general a passport, that by virtue thereof she might transport into England troops, ordnance, arms, and ammunition, in what quantities she pleased. Nevertheless the states of Holland, whom it concerned to keep fair with the parliament, stopped one of the queen's vessels laden with ammunition; whereupon she delivered in a protestation. In all probability, they had a mind to manage both parties, the parliament by seizing one of the ships, and the queen, by stopping but one out of many. We shall see hereafter, that the supply brought to the king by the queen was very considerable. She arrived about the middle of February in Burlington-bay, and from thence went to York, where she made some stay^f.

The king, as I said, constantly insisted upon the laws of the land, and urged that they ought to be observed in time of war as in time of peace. The admitting of this principle would have turned greatly to his advantage, for the laws, not supposing an actual division between the king and the parliament, ascribed to the king sundry prerogatives which he could have used against his enemies. For instance, by virtue of the prerogative, he pretended to adjourn the courts of justice to Oxford during Hilary term, but the parliament would not consent to it.

On the other hand, the counties being divided between the two parties, the parliament addressed his majesty, representing the inconveniencies that would follow the holding of the assizes in the several counties, some whereof were for the king, and some for the parliament, besought him to agree

^c Six thousand mms. Warwick's Mem. p. 387.

^f The day after her majesty's landing, four of the parliament ships came into this road, and firing upon the vessels that were landing the ammunition, the balls reached the town, near the place where the queen was resting herself after her voyage. Where-

upon, she was forced to remove to an obscure lodging behind a hill. The marquis of Montrose, and the lord Ogilby, with two troops of horse, conducted her to the earl of Newcastle, who entertained her at York. Rushworth, Tom. V. p. 156. Commons war, p. 24.

CHAR. I.
1642-3.

Supplies are sent however to the king from Holland.

II. p. 161.
Clarendon, T. II. p. 108,

109.
Warwick.

The states grant the queen a large passport,

Jan. 12.
The states of Holland stop

one of the queen's ships.

Rushworth, V. p. 162, 163.

The queen arrives in England,

Feb. 22.
Id. p. 156.

The king would adjourn the courts of justice to

Oxford.

The parliament is against it,

Decemb. 7. 1642.

Id. p. 98, 146.

The parliament suspend the holding of the assizes against the king's will,

agree Rushworth, V. p. 144, &c.

CHAR. I. Rushworth has preserved in his collection two speeches
1642-3. made in council upon this occasion, the earl of Bristol's to

persuade the king to continue the war, and the earl of Dorset's to demonstrate the advantages and necessity of a peace.

The substance of the earl of Bristol's reasons was as follows:

The earl of
Bristol's
speech for
the continu-
ation of the
war. Feb. 1.
Id. p. 127.

"1. That the parliament had declared divers of the
"greatest and most eminent among the nobility delinquents
"in the highest nature; so that there could not be an ac-
"commodation, without the utter ruin of themselves and
"their families.

"2. But granting that this article were removed, his ma-
"jesty could not condescend with his honour to beg peace
"of his subjects.

"3. That no mention could be found in the history of
"Spain of intestine and civil wars, because they were truly
"subjects, and their sovereign truly a sovereign. But since
"in England the state would neither be so to the king, nor
"suffer the king to be so to them, he thought they should
"be compelled to it.

"4. That it was no dishonour for subjects to condescend
"to their king, but it was an excessive diminution to his
"majesty's royalty, to submit himself to his subjects.

"5. His opinion therefore was, that his majesty should
"neither propound to the parliament, or receive from
"them any conditions for peace, but such as should abso-
"lutely comply with the regal dignity and prerogative, and
"such as might be no way prejudicial to his majesty's ser-
"vants and counsellors, or their estates.

"6. That there was an army on foot which could by
"force compel that, which fair words could not effect."

On the other side the earl of Dorset represented:

The earl of
Dorset's
speech for an
accommoda-
tion.
Rushworth,
V. p. 128.

"1. That peace, and a sudden one, was absolutely ne-
"cessary, betwixt his majesty and the parliament.

"2. That he would not advise them to embrace a peace
"that should be more disadvantageous than the war, a
"peace which would destroy the estates and families of the
"nobility. But it was to be considered, that the parlia-
"ment declared that only against delinquents; such as they
"conjectured had miscounselled his majesty, and were the
"authors of the tumults in the commonwealth. But this
"declaration of theirs, except such crimes could be proved
"against them, were of no validity; the parliament would
"do nothing unjustly, nor condemn the innocent; and
"certainly innocent men needed not fear to appear before
"any judges whatsoever. He who should, for any cause,
"prefer

"prefer his private good before the public utility, was but
"an ill son of the commonwealth.

CHAP. 2.
1642-3.

"3. That the business of the kingdom was to study to
"reconcile all differences between his majesty and his par-
"liament, and so to reconcile them, that they should so
"way prejudice his royal prerogative, of which the parlia-
"ment being a loyal defender (knowing the subject's prop-
"erty dependent on it) would never endeavour to be an in-
"fringer; so that if doubts and jealousies were taken away
"by a fair treaty between his majesty and the parliament,
"no doubt a means might be devised to rectify differences.

"4. That in Spain, the subjects were scarcely removed
"a degree from slaves, nor the sovereign from a tyrant.
"But in England the subjects had, by a long and received,
"liberty, made their freedom result into a second nature:
"neither was it safe for the kings to strive to introduce
"the Spanish government upon this free-born nation, nor
"just for the people to suffer that government to be in-
"forced upon them; which he was certain his majesty's
"goodness never intended.

"5. Granting that his majesty had an army of gallant
"and able men, yet he had infinite disadvantages on his
"side, the parliament having double his number, and
"surely persons of as much bravery, nay, and sure to be
"daily supplied when any of their number failed, a benefit
"which his majesty could not boast of, they having the
"most popular part of the kingdom at their devotion; all,
"or most of the cities, considerable towns, and ports, to-
"gether with the mainest pillar of the kingdom's safety,
"the sea, at their command, and the navy; and, which
"was most material of all, an unexhausted Indies of money
"to pay their soldiers, out of the liberal contributions of
"coin and plate, sent by people of all conditions, who ac-
"counted the parliament's cause their own.

"6. All which things considered, he concluded it ne-
"cessary, to beseech his majesty, to take some present or-
"der for a treaty of peace betwixt himself, and his high-
"court of parliament."

It is not said, what was the result of the council's deli-
berations; but it may be judged by what followed, that the
king relished the earl of Bristol's reasons better than the
earl of Dorset's. I return to the treaty at Oxford.

The parliament having to guard against the artifices of
the king's friends, who were strenuously endeavouring to
persuade the people, that the war was waging only for the

1643.
The parlia-
ment demand
a peace, but
desire it not.
Clarendon,
book T. II. p. 89.

CHAR. I. sake of some of their members, could not better contradict them, than by openly suing to the king for peace, and by publishing the terms on which they were ready to conclude it. They meant to show by these terms, that it was not the private interest of some of their members that put them upon action, but solely the welfare and security of the nation: however, they knew at the same time the king would not accept them. His majesty, on his part, was obliged to show he wished for peace, since he had always pretended to take up arms only in his own defence. But the truth is, he desired it no more than the parliament, because he saw, it was no favourable juncture to obtain such a peace as he expected, with a full restoration of all his prerogatives. Thus, though neither the king nor the parliament had any intention sincerely to endeavour a peace, they were however both indispensibly obliged to express their desire of it, not to give the people occasion to believe, they preferred their private interest to the good of the kingdom. For this reason the king continually insisted upon restoring the laws to their former vigour, and the parliament, upon security for the observance of the same laws, and thereby both rendered a peace impracticable. The substance of the propositions presented to the king by the parliament was to this effect ^b.

The king does not desire it neither.

The parliament's propositions.

February 1.

Rushworth,

V. p. 165.

Clarendon,

T. II. p. 91.

" I. That the armies on both sides be disbanded, and his majesty be pleased to return to his parliament.

" II. That he leave delinquents to a legal trial and judgment of parliament.

" III. That the papists be disbanded and disarmed.

" IV. That his majesty be pleased to give the royal assent to the following bills:

" 1. For taking away superstitious innovations.

" 2. For the utter abolishing of all archbishops, bishops, deans, &c.

" 3. Against scandalous ministers.

" 4. Against pluralities.

" 5. For consultation with godly, religious, and learned divines. That his majesty be pleased to promise to pass such other bills for settling of church-government, as, upon consultation with the assembly of the said divines, shall be resolved on by both houses of parliament.

" V.

^b The earl of Northumberland read the propositions to the king with a sober and stout courage, and being interrupted by him, said smartly, *Your majesty will give me leave to proceed?*

The king answered, *Yes, yes*; so the earl read them all through. Whitelock's Mem. p. 67. Rushworth, Tom. V. p. 165.

"V. That his majesty be pleased to give his consent, CHAR. I:
1643.
 "That an oath may be established by act of parliament to
 "be administered in such manner, as by both houses shall
 "be agreed on; wherein they shall abjure and renounce
 "the pope's supremacy; the doctrine of transubstantiation,
 "purgatory, worshipping of the consecrated host, cruci-
 "fixes, and images; and that the refusing the said oath,
 "being tendered in such manner as shall be appointed by
 "act of parliament, shall be a sufficient conviction in law
 "of recusancy.

"And that his majesty be pleased to consent to,

"1. A bill for the education of the children of papists
 "by protestants.

"2. To a bill for the true levying of the penalties against
 "recusants, in such manner as both houses of parliament
 "shall agree on.

"3. To a bill whereby the practice of papists against the
 "state may be prevented.

"VI. That the earl of Bristol and the lord Herbert may
 "be removed from his majesty's councils and court, and
 "that they may not bear any office, or have any employ-
 "ments concerning the state or commonwealth.

"VII. That the militia be settled in such a manner as
 "shall be agreed on by both houses.

"VIII. That his majesty be pleased to appoint for
 "judges¹, — with the clause *Quam diu se bene gesserint*.

"IX. That all such persons as have been put out of the
 "commission of peace, &c. since the first day of April
 "1642, may again be put into them; and that such per-
 "sons may be removed, as shall be excepted against by both
 "houses of parliament.

"X. That his majesty be pleased to pass the bill pre-
 "sented to him to vindicate and secure the privileges of par-
 "liament, from the ill consequences of the late precedent in
 "the charge and proceeding against the lord Kimbolton,
 "and the five members of the house of commons.

"XI. That his majesty's royal assent may be given unto
 "such acts as shall be advised by both houses of parlia-

K 2

"ment,

¹ Sir John Brampton for chief-justice of the King's-bench, William Lenthall the speaker, master of the Rolls, and to continue the chief-justice of the Common-pleas, and make serjeant Wilde chief baron of the Exchequer. And that Mr. justice Bacon be continued; and the serjeants, Rolls and

Atkins made justices of the King's-bench; Reeves and Foster continued; serjeant Pheasant made one of the justices of the Common-pleas; serjeant Creswel, Mr. Samuel Brown, and Mr. John Palloston, be made barons of the Exchequer. Rushworth, Tom. V. p. 167.

CHAR. I. "ment, for the satisfying and paying the debts and da-
1643. "mages wherein the two houses of parliament have en-
gaged the public faith of the kingdom.

"XII. That his majesty be pleased to enter into a strict
alliance with the states of the United-provinces, and
other neighbouring princees and states of the protestant
religion.

"XIII. That in the general pardon which his majesty
hath been pleased to offer to his subjects, all offences and
misdemeanours committed before the 10th of January
1641, which have been, or shall be questioned in parlia-
ment before the 10th of January 1643, shall be excepted;
which offences and misdemeanours shall nevertheless be
taken and adjudged to be fully discharged against all other
inferior courts: that likewise there shall be an exception
of offences committed by any persons, which have had
any hand in the rebellion of Ireland: and an exception
of William earl of Newcastle, and George lord Digby.

"XIV. That his majesty will be pleased to restore such
members of either house of parliament to their several
places, out of which they have been put since the begin-
ning of the parliament; that they may receive satisfaction
and reparation for those places; and that all others may
be restored to their offices and employments, who have
been put out of the same upon any displeasure conceived
against them, for any assistance given to both houses of
parliament, or obeying their commands, or forbearing to
leave their attendance upon the parliament without li-
cence, or for any other occasion arising from the differ-
ences betwixt his majesty and his parliament."

The king
consents to
a treaty.

These propositions plainly shewed, that though both
houses sued for a treaty in order to a peace, they were how-
ever very far from it, since they insisted upon things which
the king would scarce have granted, had his condition been
much worse than it was at that time. Nevertheless, as he
had talked very much of his offer in August last, to treat of
a peace, and of the refusal of both houses, he did not think
it adviseable absolutely to reject these propositions. He con-
sented therefore, that they should be discussed in a treaty;
but gave six others on his part; namely,

The king's
propositions.
Rushworth,
V. p. 169.
Clarendon,
T. H. p. 95.

"1. That his majesty's own revenue, magazines, towns,
forts, and ships which have been taken or kept from him
by force, be forthwith restored unto him.

" 2. That whatsoever had been done or published contrary to the laws of the land, or derogatory to his majesty's power and rights be renounced and recalled. CHAR. I.
1643.

" 3. That whatsoever illegal power hath been claimed and exercised by both or either house, over his subjects as imprisoning their persons without law, stopping their *habeas corpus's*, and imposing upon their estates without act of parliament be disclaimed, and all such persons so committed forthwith discharged.

" 4. That a bill be framed for the better preserving of the book of common prayer from the scorn and violence of Brownists, Anabaptists, and other sectaries, with proper clauses for the ease of tender consciences.

" 5. That all such persons, as, upon the treaty, shall be excepted out of the general pardon, shall be tried, *per pares*, according to the usual course and known law of the land.

" 6. And to the intent this treaty may not suffer interruption by any intervening accidents, that a cessation of arms and free trade for all his majesty's subjects be first agreed upon."

Some days after, the king sent a message to both houses, to desire that his last proposition might be first taken into consideration, to the end that during the cessation of arms, the peace might be treated of with the greatest tranquillity, to which they consented. The king desires a cessation may be settled first.

It was the 28th of February before both houses sent the terms to the king, on which they proposed to conclude a suspension of arms, during the treaty; namely,

" 1. That all manner of arms, ammunition, victuals, money, bullion, and all other commodities passing without such a safe-conduct as may warrant their passage, may be stayed and seized on, as if no such cessation were agreed on at all. Articles for a cessation sent by the parliament, Rushworth, V. p. 170.

" 2. The same with regard to all manner of persons passing without such a safe-conduct.

" 3. That his majesty's forces in Oxfordshire shall advance no nearer to Windsor than Wheatly, and in Buckinghamshire no nearer to Aylesbury than Brill; and that in Berks the forces respectively shall not advance nearer the one to the other than now they are: and that the parliament-forces in Oxfordshire shall advance no nearer to Oxford than Henley; and those in Buckingham no nearer to Oxford than Aylesbury: and that his majesty's forces shall take no new quarters above twelve miles

CHAR. I. "from Oxford any way; and that the parliament-forces
1643. "shall take no new quarters above twelve miles from
"Windfor any way.

"4. That no siege shall be begun or continued against
"Glocester, and that his majesty's forces now employed
"in the siege shall return to Cirencester, and Malmesbury,
"or to Oxford, as shall be most for their conveniency;
"and the parliament-forces which are in Gloucestershire,
"shall remain in the cities of Gloucester, Bristol, and the
"castle and town of Berkley, or retire nearer to Windfor,
"as they shall see cause; and that those of Wales which
"are drawn to Gloucester, shall return into their quarters,
"where they were before they drew down to Gloucester-
"shire.

"5. That in case it be pretended on either side, that the
"cessation is violated, no act of hostility is immediately to
"follow; but first, the party complaining is to acquaint
"the lord general on the other side, and to allow three
"days after notice given for satisfaction. And in case satis-
"faction be not given, or accepted, then five days notice
"to be given before hostility begin: and the like to be ob-
"served in the remoter armies by the commanders in chief.

"6. Lastly, That all the other forces in the kingdom
"of England and dominion of Wales, and not before-
"mentioned, shall remain in the same quarters and places
"as they are at the time of the publishing this cessation,
"and under the same conditions as are mentioned in the
"articles before, and that this cessation shall not extend to
"restrain the setting forth, or employing of any ships for
"the defence of his majesty's dominions."

The king's
answer to
these propo-
sitions.
March 6.
Id. p. 172.

The king replied to these propositions by a message to
both houses, complaining, "That he had been left with-
"out an answer almost a month, from the 3d to the 28th,
"of February. He conceived, that the articles of the ces-
"sation now presented to him, were so strict, that such of
"his good subjects who were not of his army would receive
"no benefit by the suspension, which he would ever insist
"on: and therefore he had returned the articles with such
"alterations as he doubted not but both houses would con-
"sent to, since they sufficiently manifested how solicitous
"he was for the good of his people, and how desirous to
"prevent any more effusion of his subjects blood. He de-
"sired the cessation might begin the 12th of March, or
"sooner, if the conditions should be sooner agreed on, and
"was willing the same should continue for twenty days,
"in

“in which time he hoped by the treaty a full peace might CHAR. I.
 “be established throughout the kingdom. 1643.

It must be understood, that the king in this negotiation proposed to himself three advantages, as will hereafter evidently appear. 1. To gain time to make his preparations. 2. To set on foot, by means of a cessation of arms, a free commerce and correspondence between the quarters of both armies, and particularly, between London and Oxford, which would help to provide himself of many things necessary for the ensuing campaign, by sending for them from London or elsewhere. 3. To convey safely from York the forces and ammunition that were come from Holland. All this was concealed under the pretence of procuring the ease of his people by a free commerce throughout the kingdom. These are the articles which he sent to both houses, with the alterations he mentioned.

“I. That all manner of arms, ammunition, money, Proposals made by the king for a cessation of arms. Ibid.
 “bullion, and victuals passing for the use of either army,
 “without a pass or safe-conduct, from the generals of each
 “army, may be stayed and seized on, as if no cessation
 “were agreed on at all.”

The king omitted here the words [and other commodities.]

“II. That all officers and soldiers of either army passing
 “without licence or safe-conduct as aforesaid, may be ap-
 “prehended and detained, as if no such cessation were
 “agreed upon at all: and that all manner of persons, his
 “majesty’s subjects, of what quality or condition soever
 “(except officers and soldiers of either army) shall pass to
 “and from the cities of Oxford and London, and back
 “again at their pleasure, during this cessation, as likewise
 “to and from any other parts of his majesty’s dominions,
 “without any search, stay, or imprisonment of their per-
 “sons, or seizure and detention of their goods or estates:
 “and that all manner of trade, traffic, and commerce,
 “be free and open between his majesty’s subjects, except-
 “ing as aforesaid, between the officers and soldiers of either
 “army, or for arms, ammunition, money, bullion, or
 “victuals, for the use of either army, without a pass or
 “safe-conduct, as aforesaid, which may be a good begin-
 “ning to renew the trade and correspondence of the king-
 “dom, and whereby his good subjects may be restored to
 “that liberty and freedom they were born to and have so
 “happily enjoyed, till these miserable distractions, and
 “which, even during this war, his majesty hath to his ut-
 “most laboured to preserve, opening the way by most strict

CHAR. I. "proclamations, to the passage of all commodities, even
1643. "to the city of London itself.

III. The beginning of this article is the same as in the parliament's, but the end is different, viz.

"And that the forces of neither army shall advance the
"quarters nearer to each other, than they shall be upon
"the day agreed on for the cessation to begin; otherwise
"in passage and communication between their several quar-
"ters respectively, without any acts of hostility each to
"other, but may enlarge themselves within their own
"quarters respectively, as they shall find convenient.

*Hereby the king was at liberty to send for his forces from
York to Oxford, without any opposition from the parliament's
army.*

IV. That the forces of either army in Gloucestershire,
"Wiltshire, and Wales, as likewise in the cities of Glo-
"cester, Bristol, and the castle and town of Berkley, shall
"be guided by the rule expressed in the latter part of the
"precedent article.

V. This article is exactly the same with the parliament's.

"That all other forces in the kingdom of England,
"and dominion of Wales, not before mentioned, shall re-
"main in the same quarters and places, as they are at the
"time of publishing this cessation, otherwise than in pas-
"sage and communication between their several quarters,
"as is mentioned in the latter part of the said article; and
"that this cessation shall not extend to restrain the setting
"forth, or employing any ships for the defence of his ma-
"jesty's dominions, *provided that his majesty be first ac-
"quainted with the particulars, and that such ships as shall be
"set forth be commanded by such persons as his majesty shall ap-
"prove of.*

VII. Lastly, That during the cessation, none of his
"majesty's subjects be imprisoned, otherwise than according
"to the known laws of the land; and that there shall
"be no plundering or violence offered to any of his maje-
"sty's subjects. And his majesty is very willing, if there
"be any scruples made concerning these propositions and
"circumstances of the cessation, that the committee for
"the treaty nevertheless may immediately come hither,
"and so all matters concerning the cessation may be settled
"by them."

Rushworth, Though both houses were by no means pleased with the
Vi p. 173. king's alterations in their articles, yet as he offered to treat
upon

upon that subject, they desired a safe-conduct for six commissioners, namely, the earl of Northumberland, the lord Say, and four commoners *. The king immediately granted it, excepting the lord Say, because he was proclaimed traitor †. When he sent the safe-conduct, he signified to them by a message, that he was content his proposition concerning the magazines, &c. and theirs for disbanding the armies, should be first treated of and agreed, and then the second of his majesty's, and the second of theirs, and so in order: and that the time of the treaty might not exceed twenty days.

CHAR. I.
1643.
Clarendon,
T. II. p. 127,
146.

The parliament's five commissioners repairing to Oxford, presented to the king fresh articles concerning the cessation of arms. But they were so little different from the first, that the king was not satisfied with them. And therefore he delivered to the commissioners the following objections against the last articles:

The parliament's last articles for a cessation.
Rushworth, V. p. 173.

1. They are in effect the same his majesty formerly accepted to, and there is not the least mention of freedom of commerce between his subjects, and consequently they have no ease or benefit by this cessation, though that is his majesty's chief aim.

The king's objection to them.
March 23.
Id. p. 177.
Clarendon, T. II. p. 147.

2. The putting the ships that may be employed under the command of persons approved of by his majesty, is not consented to by these articles; and by that means the conveying of any number of forces from one place to another (which is an act of hostility) remains free to both houses.

3. The army raised by the parliament is spoken of, as if his majesty were no part of the parliament, or himself to have raised that army. Now in order to prevent any inconveniencies that might arise upon real differences or mistakes, upon the latitude of expressions, and to avoid delays, his majesty desired the committee might have liberty to debate any such differences and expressions, and yet no such power is given in these articles, and the committee confessed to his majesty they have no liberty, but are strictly bound to the very words of the articles now sent.

4. His majesty's desire, that during the cessation none of his subjects might be imprisoned otherwise than according to the laws of the land, is in no degree consented to.

5.

* Mr. Pierrepont, Sir William Ernley, Sir John Holland, and Mr. Whitelock. Whitelock, p. 68.

† But he told them, in case they thought fit to send any other in his room, not liable to the same exception,

he should enjoy the benefit of the safe-conduct, as well as if particularly named. But they did not send any in his stead, so only five went. Rushworth, Tom. V. p. 173.

CHAR. I. 5. His majesty's desire against violence is not at all taken
 1643. notice of, nor is his desire against plundering any way satisfied; his majesty not only meaning thereby the robbing of the subject by the unruliness of the uncommanded soldiers, but particularly the violence and plundering used to his subjects, for not submitting to impositions required from them by ordinances of one or both houses, which are contrary to the known laws of the land.

6. Besides, as there is no consent given to those alterations offered by his majesty, so where an absolute consent may be supposed, because the very words of his majesty's articles are wholly preserved, yet by reason of the relation of somewhat going before that is varied by them, the sense of those words is wholly varied too. So that upon the matter, all the propositions made by his majesty (which did not in terms agree with those presented to him) are utterly rejected. For these reasons his majesty desires that the committee now sent may speedily have liberty to debate and agree upon the articles of cessation.

Both houses perceiving, the king concealed under the little alterations he had made in their articles, more than appeared at first sight, thought proper to tell him, they were not wholly ignorant what advantages he intended to draw from such a cessation of arms as he proposed. To that end, they sent him their reasons in writing why they were obliged to reject his additions to their articles. The substance of their reasons was to this effect:

The parliament's reasons why they cannot agree to the articles of the cessation.

March 27.
 Rushworth,
 V. p. 182.
 Clarendon,
 T. II. p. 148.

" 1. That if they should grant such a free trade as your majesty desireth to Oxford and other places, where your forces remain, it would be very difficult, if not impossible, to keep arms, ammunition, money and bullion, from passing into your majesty's army, without very strict and frequent searches, which would make it so troublesome, chargeable, and dangerous to the subjects, that the question being but for twenty days for so few places, the mischiefs and inconveniencies to the whole kingdom would be far greater than any advantage which that small number of your subjects (whom it concerns) can have by it.

" The case then is much otherwise than is expressed by your majesty's answer; for whereas they are charged not to give the least permission of this liberty and freedom of trade during the cessation, the truth is, That they do grant it as fully to the benefit of the subjects even in time of war; and that your majesty, in pressing this for the people's

" people's good, doth therein desire that which will be CHAR. I.
 " very little beneficial to the subject, but exceeding advan- 1643.
 " taneous to your majesty, in supplying your army with
 " many necessaries, and making your quarters a staple for
 " such commodities as may be vented in the adjacent coun-
 " ties, and so draw money thither, whereby the inhabit-
 " ants will be better enabled by loans and contribu-
 " tions to support your majesty's army. And as your
 " majesty's may receive much advantage, and the other
 " army much danger, if such freedom should be granted
 " to those places; so there is no probability that the army
 " raised by the lords and commons, shall have any return
 " of commodities and other supplies from thence, which
 " may be useful for them: and they conceive, that in a
 " treaty for a cessation, those demands cannot be thought
 " reasonable which are not indifferent, that is, equally ad-
 " vantageous to both parties.

" As they have given no interruption to the trade of the
 " kingdom, but in relation to the supply of the contrary
 " army, which the reason of war requires; so they be-
 " seech your majesty to consider, whether your soldiers
 " have not robbed the carriers in several parts, where there
 " hath been such reason; and your ships taken many ships,
 " to the great damage, not only of particular merchants,
 " but of the whole kingdom. And whether your majesty
 " have not declared your own purpose, and endeavoured
 " by your ministers of state, to embark the merchants goods
 " in foreign parts, which hath been in some measure exe-
 " cuted upon the Eastland merchants in Denmark, and is
 " a course which will much diminish the wealth of the
 " kingdom, violate the law of nations, make other princes
 " arbiters of the difference betwixt your majesty and your
 " people, break off the intercourse between this and other
 " states, and like to bring us into quarrels and dissension
 " with all the neighbouring nations.

" 2. To demand the approving of the commanders of
 " the ships, is to desire the strength of one party to the
 " other, before the difference be ended, and against all
 " rules of treaty; to make a cessation at sea, would leave
 " the kingdom naked to those foreign forces, which they
 " have great cause to believe have been solicited against
 " them, and the ports open for such supplies of arms and
 " ammunition as shall be brought from beyond the seas:
 " but for conveying any number of forces by those means
 " from

CHAR. I. "from one port to another, they shall observe the articles
1643. "of the cessation by which that is restrained.

"3. As for the expressions of the army raised by the
parliament, they are contented it should be altered thus
(*raised by both houses of parliament,*) as not desiring to
differ upon words; but to give any conclusive power in
this case to the committee upon such differences as may
arise, wherein the houses have given no express direc-
tion, is neither safe for the committee to undertake, nor
fit for the two houses to grant; yet to debate, and to
press the reason of their desires, whereby an agreement
from your majesty may be procured, is granted to them;
and although the two houses did think it most proper
the cessation should be first agreed on, and that it was
unfit to treat in blood, yet to satisfy the world of their
earnest longing after peace, they have given power to
the committee, to enter into the treaty upon the two
first propositions, notwithstanding the cessation be not
assented to; and those being agreed, they hope the foun-
dation will be laid not only of a suspension, but a total
abolition of all hostility in the kingdom.

"4. If the nature of war be duly considered, it must
needs be acknowledged, that it is incompatible with the
ordinary rules of a peaceable government: your majesty
would have them commit none, but according to the
known laws of the land, whereby they conceive your
majesty understands, that it must be by the ordinary
process of law; which being granted, it will follow,
that no man must be committed by them for supplying
your majesty with arms, powder, ammunition: for by
the law of the land, the subject may carry such goods
from London or any other place to Oxford, the soldiers
must not be committed if they run from their colours,
and refuse any duty in the army, *No man shall be commis-*
sed for not submitting to necessary supplies of money: so that
if this be yielded in your majesty's sense, they shall be
disabled to restrain supplies from their enemies, and to
govern or maintain their own soldiers. It cannot be
thought reasonable, that under the disguise of a cessa-
tion, they should admit that which will necessarily pro-
duce the dissolving of the army, and the destruction of
the cause.

"It seems not probable, that your majesty doth intend,
that if any be taken with supplies for this army, or mu-
tinying in your own, such persons shall not be commit-

"ed,

“ ted, but according to the known laws of the land, that CHAR. I.
 “ is, by process of law : but rather that your majesty will 1643.
 “ so interpret this limitation of known laws, that though
 “ it lays strait bonds upon both houses, yet it leaves your
 “ generals as much liberty as before : for it hath been de-
 “ nied by your majesty, that these known laws give any
 “ power to the two houses of parliament to raise arms,
 “ and so consequently their general cannot exercise any
 “ martial law in those cases ; and it is not unlike, but that
 “ it will be affirmed, that the generals constituted by your
 “ majesty’s commission, have that power by the same
 “ known laws ; so that this article, under the specious
 “ shew of liberty and law, would altogether disable them
 “ to defend their liberties and laws, and would produce to
 “ your majesty an absolute victory and submission, under
 “ pretence of a cessation and treaty.

“ 5. Being, by necessity inevitable on their part, en-
 “ forced to a defensive war in this unhappy breach be-
 “ tween your majesty and them, and that they are therein
 “ warranted both by the laws of God and man, it must
 “ needs follow, that by the same laws they are enabled to
 “ raise means to support that war ; and therefore, till it
 “ shall please God to incline your majesty to afford them
 “ such a peace as may secure them, they cannot relinquish
 “ the power of laying taxes upon those who ought to join
 “ with them in that defence, and the necessary ways of le-
 “ vying those taxes upon them, in case of refusal, for
 “ otherwise their army must needs be dissolved. But if
 “ your majesty shall consent to disband the armies, the
 “ cause of the war being taken away, the consequences
 “ will likewise be removed, and the subject restored to the
 “ benefit of those laws which the necessity of arms hath in
 “ such cases suspended.

“ 6. They deny any pretence of consenting to those al-
 “ terations and additions offered by your majesty ; only in
 “ the preamble they say, they have considered of those ar-
 “ ticles, with such alterations and additions ; unto which
 “ articles they profess they were ready to agree, not as
 “ they were accompanied with those alterations and addi-
 “ tions, but in such manner as they expressed. As for the
 “ clause left out in the third article, it implied a freedom
 “ of passage and communication of quarters, which is con-
 “ trary to the nature of the cessation, whereby matters
 “ should be preserved in the state they are, and neither
 “ party have liberty so much to advantage himself, as it is
 “ evident

CHAR. I. "evident your majesty might do, if your forces in the
 1643. "north and west might join with those at Oxford, and
 "bring those supplies of treasure or arms thither, which
 "were brought out of Holland; or at least it should be so
 "indifferent, as to give a proportionable advantage to the
 "other side, which this doth not. For the forces under
 "the power of both houses are so disposed, that they have
 "an easy passage from one to the other: but your majesty's
 "forces are severed the one from the other, by many
 "large counties, strong passes, and competent armies; and
 "if they had admitted this clause, they had bereaved themselves
 "of one of the greatest advantages, and freed your
 "majesty's party of one of the greatest inconveniences
 "which your majesty or they have in this war.

"For the reasons already alledged, they cannot agree to
 "the alterations and enlargements of the cessation proposed,
 "or to transfer any such power to the committees, of treating,
 "debating, and agreeing upon those articles in any other manner
 "than the houses have directed. But that a fair and speedy
 "passage may be opened to a secure and happy peace. They
 "have enabled their committees to treat and debate upon the
 "two propositions concerning his majesty's own revenue, the
 "delivery of his towns, castles, magazines, and ships, and the
 "disbanding of the armies; which being agreed upon, a
 "present peace and security will follow, and the treaty upon
 "the other propositions be facilitated, without fear of interruption,
 "by the confusion of war, or exasperation of either party by the bloody
 "effects thereof."

The king's
 answer.
 April 4.
 Rushworth,
 V. p. 186,
 &c.

The king failed not to reply to this paper. But as his answer was very long, I shall content myself with inserting the most material part of each article.

1. *Concerning the freedom of trade:*

His majesty denies that he has any private benefit by it, and assures, that the good of the people is the only advantage he has in view. He slightly passes over the objection, that the cessation of arms not being to last but twenty days, the freedom of commerce could not be, for so short a space, of any great benefit to the nation.

His majesty affirms, that no complaint concerning the robbing of carriers by his soldiers has been made to him, which he has not received to the relief and reparation of the sufferers.

He

He owns, he is resolved not to grant his protection to CHAR. I.
1643.
such persons abroad, who assist or consent to actions of dis-
loyalty to him at home.

2. Concerning the ships.

He says, as the setting out of the present fleet is pretended to be for the defence of his dominions, it is most necessary for his majesty to know both the designs, and to approve of the commanders. He cannot see how a cessation at sea should leave the kingdom naked to foreign forces; and is willing to concur in the resistance of all such, of what kind soever; and expects, that during the cessation, the conveying of all forces from one part to another by sea, for the assistance of the earl of Essex, be restrained, which both houses seem now to consent to, though it be not at all expressed in their former articles.

3. Concerning the power of the committee.

His majesty had, and hath great reason to desire, that the committee may have liberty to debate and conclude any differences and expressions in the articles, in order to prevent loss of time. Of this there is a clear evidence, in the consent which his majesty now understands to be given by both houses, that no forces shall, during the cessation, be sent by sea, for the relief of any places held by them; which clause might in much less time have been agreed here, if there had been that liberty. And much time must still be lost, as the committee have not power to explain the meaning of both houses concerning communication of quarters.

4. Concerning imprisonments.

It was no part of his majesty's intention, that his article against imprisonment of his subjects, otherwise than according to the known laws of the land, should extend to the destruction of the military discipline of either army. This is an instance of the necessity of enabling some persons to conclude upon these articles, since a limitation of half a dozen words would have saved most of this fourth reason.

5. Concerning taxes.

His majesty insists very much, upon the two houses not having a legal power to impose taxes without his consent. And adds, he is very well pleased to find they have need of force and rapine to raise them. He says, he has reason to
insist,

CHAR. I. "parliament of England, 1640, pag. 15, 16. *Intentions of*
1643. "the army of Scotland, near the end.

"4. The common danger imminent to both kirks and kingdoms, do invite us to help them; for we and they sail in one bottom, dwell in one house, are members of one body, that according to their own principles, if either of the two nations or kirks be ruined, the other cannot long subsist. We have the same friends and foes, and many years experience hath taught us, what influence popery and prelacy in England, may have upon Scotland; for from thence came the prelates, the ceremonies, the book of common-prayers, service-book, and upon our refusal, the bloody sword came from thence; therefore we are to take England's condition to heart, as a common cause, to put forth our helping hand, if we tender religion, laws, and liberties.

"5. The common advantage redounding to both kirk and kingdom, to persuade help; for hereby we have a fair opportunity to advance uniformity in discipline and worship, which will prove the surest bond of union, and bulwark to both.

"6. If we forsake England, we forsake our dearest friends, who can best help us in case we be reduced to the like straits hereafter by the common adversary.

"7. If we suffer the parliament of England to be cut off, we have lost our peace with England. If the popish and prelatical faction do over-rule the parliament, we may expect war both from king and parliament, whereunto they will not want pretences. And we have reason to fear, that, seeing some of the malignants at home are reported to have vented, that the king was not tied to keep what he had granted to us, because by calling and keeping of our convention, we have first broken to him.

"8. If we should desert them at this time, yet as Mordecai said to Esther, *Deliverance shall arise to them from elsewhere; but we and our father's house may look for destruction*; and who knoweth, but we are restored to our religion and liberties, to a free convention at this time, and made a mirror of God's mercy to all nations and kirks, that we may help our brethren of England?

"9. That the only means for the procuring of a happy agreement betwixt the king and the parliament, is by putting up of the sword, and saving christian blood from being shed, suppressing of papists, and establishing religion in his dominions; for humble supplications and re-

"monstrances,

“monstrances, reached out with naked hands, will not pre- CHAR. I.
 “vail with our adversaries, who have invironed our king, 1643.
 “and closed his ears to the cry of his subjects. }
 “But it will be objected, seeing our religion and liber-

“ties are established according to our own desires; and
 “seeing his majesty’s declaration to the whole kingdom,
 “and letter to every nobleman and borough, to give assu-
 “rance for preservation of the same without altering, we
 “have no interest nor hazard, however business go in Eng-
 “land; but should keep ourselves in peace and quiet.

“1. *Answer.* In all the proceedings of this business we
 “have from time to time declared, That neither verbal
 “promises, nor fair declarations for maintaining religion
 “and liberty could secure us, because we have so often
 “found *facta verbis contraria*. As for example, the treaty
 “of Dunce, when we confided to verbal gracious expres-
 “sions of his majesty’s; yet afterwards they were denied,
 “and burnt by the hands of the hangman, and an army
 “levied against us. It was the counsel of Monsieur de
 “Thou to the queen-regent of Scotland at St. Andrews,
 “for reversing our first reformation, to grant our prede-
 “cessors in fair promises and declarations all that they
 “craved, and when thereby they should be divided, to in-
 “terpret these by herself, and to take order with the heads
 “of the opposers; and this policy was used by Charles IX.
 “king of France, for the subverting of the protestant reli-
 “gion in France, as witnesseth Monsieur de Thou, L. 71.
 “p. 463.

“2. As we have found by former experience, that the
 “establishment of our first reformation by an act of assem-
 “bly and parliament, could not secure us from the violent
 “pressing of innovations against both; and in the new re-
 “monstrance of 1640, pag. 16. we have fully expressed,
 “that no assembly or parliament, whereunto we fastened
 “our hopes, can be any safety for us, so long as our ene-
 “mies sit at the helm, and govern the king’s council, and
 “make his majesty interpret laws contrary to the advice of
 “judicators of kirk and state. And of late our mediation
 “betwixt him and his parliament was rejected, and our
 “commissioners stopt from going to London, contrary to
 “his own safe-conduct.

“3. If the parliament of England that now is, be de-
 “stroyed, who shall undertake for our safety? As the king’s
 “declarations cannot exceed his person, or secure us at the
 “hands of his successors, so we may perceive in the late

THE HISTORY

CHAR. I. "discovery of the plots of the Scots, English, and Irish
1643. "papists, that these declarations can be no sufficient secu-
"rity against the surprising of papists and malignants, if
"they be permitted to carry arms within any of the king-
"doms.

"Secondly, It is objected, that we are a poor people, not
"fit for such an undertaking. To which we answer,

"1. The representative body of the kingdom now con-
"vened, can best satisfy this objection.

"2. When God calls his people, and makes them will-
"ing, he gives them also strength, that thro' him they may
"do valiantly.

"3. God hath helped us in all enterprizes for his cause,
"and he will yet provide for us. We hope the wise con-
"vention of states will see to the conditions, that the king-
"doms receive as little detriment as may be.

"Thirdly, It is objected, they will not embrace a pres-
"byterian-government in the kirk, and so no hope of uni-
"formity.

"*Answer* 1. They have already put out episcopal go-
"vernment, root and branch, neither will they, nor do the
"protestant kirks know of any other but presbyterial.

"2. If any zealous man amongst them have their scruples
"against presbyterial-government, we trust the Lord will
"reveal the truth unto them."

"They have in many declarations expressed their resolu-
"tions and desires for uniformity."

Covenant
between the
two nations
approved in
Scotland
and Eng-
land.
Rushworth,
IV. p. 475.
Guthry's
Mem.

The assembly and convention having respectively appointed committees to treat with the English commissioners, it was agreed at the first conferences, that the best and speediest means for accomplishing the union and assistance desired, was that both nations should enter into a mutual covenant or league. This covenant was prepared in a very short time, so that August the 17th, it was presented to the estates and the general-assembly, and approved by both the same day. On the morrow, being the 18th, it was sent to England by the lord Maitland, afterwards duke Lauderdale. He was accompanied with Mr. Alexander Henderson, moderator of the general assembly, and Mr. Gillespy, both ministers, as commissioners from the assembly to treat with the assembly of divines at Westminster, about the union of the two churches.

If the Scots were disposed to enter into a league with the English, these were no less desirous of it. August the 28th, ten days after the departure of the Scotch commissioners,
the

the parliament of England consented to the covenant. Im-CHAR. I. mediately after, the assembly of divines were ordered by 1643. both houses to frame an exhortation to the taking of the covenant, to be read publicly in all the churches. That done, the covenant was ordered to be printed and published, and appointed to be taken the 22d of September by all the members of parliament, and the assembly of divines, which was done with great solemnity^r. The covenant was as follows:

A solemn league and covenant for reformation and defence of religion, the honour and happiness of the king, and the peace and safety of the three kingdoms of England, Scotland, and Ireland.

“ WE noblemen, barons, knights, gentlemen, citizens, ^{Rushworth,}
 “ burgesses, ministers of the gospel, and commons of ^{V. p. 478.}
 “ all sorts in the kingdoms of England, Scotland, and Ire- ^{Clarendon,}
 “ land, by the providence of God living under one king, ^{T. II. p. 227.}
 “ and being of one reformed religion, having before our
 “ eyes the glory of God, and the advancement of the
 “ kingdom of our Lord and Saviour Jesus Christ, the ho-
 “ nour and happiness of the king’s majesty and his poste-
 “ rity, and the true public liberty, safety and peace of
 “ the kingdoms, wherein every one’s private condition is
 “ included; and calling to mind the trecherous and bloody
 “ plots, conspiracies, attempts, and practices of the ene-
 “ mies of God against the true religion and professors
 “ thereof in all places, especially in these three kingdoms,
 “ ever since the reformation of religion, and how much
 “ their rage, power, and presumption are of late, and at
 “ this time, increased and exercised, whereof the deplora-
 “ ble estate of the church and kingdom of Ireland, the
 “ distressed estate of the church and kingdom of England,
 “ and the dangerous estate of the church and kingdom of
 “ Scotland, are present and public testimonies; we have
 “ (now at last) after other means of supplication, remon-
 “ strance, protestations and sufferings, for the preservation
 “ of ourselves and our religion from utter ruin and destruc-
 “ tion, according to the commendable practice of these
 “ king-

N 2

^r The manner of taking it was thus: The covenant was read, and then notice was given that each person should immediately, by swearing thereunto, worship the great name of God, and testify so much outwardly, by lifting up their hands; and then they went up into the chancel [of St.

Margaret’s Westminster,] and there subscribed their names in a roll of parchment, in which this covenant was fairly written. It was taken that day by two hundred and twenty two members of parliament, whose names see in Rushworth, Tom. V. p. 480.

CHAR. I. "kingdoms in former times, and the example of God's
1643. "people in other nations, after mature deliberation, re-

"solved and determined to enter into a mutual and solemn
"league and covenant, wherein we all subscribe, and each
"one of us for himself, with our hands lifted up to the
"most high God, do swear :

"I. That we shall sincerely, really and constantly, thro'
"the grace of God, endeavour, in our several places and
"callings, the preservation of the reformed religion in the
"church of Scotland, in doctrine, worship, discipline and
"government, against our common enemies, the reforma-
"tion of religion in the kingdoms of England and Ireland,
"in doctrine, worship, discipline and government, accord-
"ing to the word of God, and the example of the best re-
"formed churches ; and we shall endeavour to bring the
"churches of God in the three kingdoms to the nearest
"conjunction and uniformity in religion, confessing of
"faith, form of church-government, directory for worship
"and catechising, that we, and our posterity after us, may,
"as brethren, live in faith and love, and the lord may de-
"light to dwell in the midst of us.

"II. That we shall in like manner, without respect of
"persons, endeavour the extirpation of popery, prelacy,
"(that is, church-government by archbishops, bishops,
"their chancellors and commissaries, deans, deans and
"chapters, archdeacons, and all other ecclesiastical officers
"depending on that hierarchy) superstition, heresy, schism,
"profaneness, and whatsoever shall be found to be contrary
"to sound doctrine, and the power of godliness, lest we
"partake in other men's sins, and thereby be in danger to
"receive of their plagues, and that the Lord may be one,
"and his name one in the three kingdoms.

"III. We shall with the same sincerity, reality and con-
"stancy, in our several vocations, endeavour with our estates
"and lives, mutually to preserve the rights and privileges
"of the parliaments, and the liberties of the kingdoms,
"and to preserve and defend the king's majesty's person and
"authority, in the preservation and defence of the true re-
"ligion and liberties of the kingdoms, that the world may
"bear witness with our consciences of our loyalty, and that
"we have no thoughts or intentions to diminish his ma-
"jesty's just power and greatness.

"IV. We shall also with all faithfulness endeavour the
"discovery of all such as have been or shall be incendiaries,
"malignants, or evil instruments, by hindering the re-
"forma-

“ formation of religion, dividing the king from his people, CHAR. I.
 “ or one of the kingdoms from another, or making any 1643.
 “ faction or parties among the people, contrary to this
 “ league and covenant, that they may be brought to pub-
 “ lic trial, and receive condign punishment, as the degree
 “ of their offences shall require or deserve, or the supreme
 “ judicatories of both kingdoms respectively, or others hav-
 “ ing power from them for that effect, shall judge conve-
 “ nient.

“ V. And whereas the happiness of a blessed peace be-
 “ tween these kingdoms, denied in former times to our
 “ progenitors, is, by the good providence of God granted
 “ unto us, and hath been lately concluded and settled by
 “ both parliaments, we shall, each one of us, according to
 “ our place and interest, endeavour, that they may remain
 “ conjoined in a firm peace and union to all posterity, and
 “ that justice may be done upon the wilful opposers thereof,
 “ in manner expressed in the precedent articles.

“ VI. We shall also, according to our places and call-
 “ ings, in this common cause of religion, liberty, and
 “ peace of the kingdoms, assist and defend all those that
 “ enter into this league and covenant, in the maintaining
 “ and pursuing thereof, and shall not suffer ourselves di-
 “ rectly or indirectly, by whatsoever combination, persua-
 “ sion, or terror, to be divided and withdrawn from this
 “ blessed union and conjunction, whether to make defec-
 “ tion to the contrary part, or to give ourselves to a de-
 “ testable indifferency or neutrality in this cause, which so
 “ much concerneth the glory of God, the good of the
 “ kingdoms, and the honour of the king, but shall all the
 “ days of our lives zealously and constantly continue there-
 “ in, against all opposition, and promote the same accord-
 “ ing to our power, against all letts and impediments what-
 “ soever; and what we are not able ourselves to suppress
 “ or overcome, we shall reveal and make known, that it
 “ may be timely prevented or removed; all which we shall
 “ do as in the sight of God.

“ And because these kingdoms are guilty of many sins
 “ and provocations against God, and his son Jesus Christ,
 “ as is too manifest by our present distresses and dangers,
 “ the fruits thereof: We profess and declare before God,
 “ and the world, our unfeigned desire to be humbled for
 “ our sins, and for the sins of these kingdoms, especially
 “ that we have not, as we ought, valued the inestimable
 “ benefit of the gospel; that we have not laboured for the

CHAR. I. 1643. "purity and power thereof; and that we have not endeavoured to receive Christ in our hearts, nor to walk worthy of him in our lives, which are the causes of other sins and transgressions, so much abounding amongst us. And our true and unfeigned purpose, desire, and endeavour, for ourselves, and all others under our power and charge, both in public and in private, in all duties we owe to God and man, to amend our lives, and each one to go before another in the example of a real reformation; that the Lord may turn away his wrath and heavy indignation, and establish these churches and kingdoms in truth and peace. And this covenant we make in the presence of Almighty God, the searcher of all hearts, with a true intention to perform the same, as we shall answer at that great day, when the secrets of all hearts shall be disclosed; most humbly beseeching the Lord to strengthen us by his Holy Spirit for this end, and to bless our desires and proceedings with such success, as may be deliverance and safety to his people, and encouragement to other christian churches, groaning under, or in danger of, the yoke of anti-christian tyranny, to join in the same, or like association and covenant. To the glory of God, the enlargement of the kingdom of Jesus Christ, and the peace and tranquility of christian kingdoms, and commonwealths."

Reasons
why the
covenant
was so readily taken
in England.

I have often said, that the presbyterian party prevailed in the parliament of England. This party impatiently waited for an opportunity to establish the presbyterian government in the church, and this seemed to them so favourable, that they resolved not to lose it. The affairs of the parliament were in an ill way. The king was become master of Bristol. The earl of Essex's army was unserviceable, and Waller's entirely dispersed by the loss of the battle of Roundway-down. Prince Maurice was with a good army in the west, where he met with no opposition. The marquis of Newcastle was master of all the north, and superior in number of troops to the lord Fairfax in the country of York. In short, the king was now besieging Gloucester, when the parliament's commissioners came to Edinburgh. Had he taken that place, the parliament would have had reason to fear a general defection, considering the advantages the king would have thereby received. The two houses had therefore, if I may so call it, no other refuge than the assistance of the Scots, an assistance which could not be procured, but by yielding them the article of uniformity,

formity, so passionately desired by them, being, in their opinion, the sole means of securing the enjoyment of their liberties. So, those of the parliament's party that were most attached to the church of England, clearly perceived they must consent to a change of church-government, or be exposed to the hazard of losing the fruit of all their labours, in case the king should be restored by force of arms. Things standing thus, they could not think it strange, that the parliament should consent to an uniformity, in order to satisfy the Scots for their so necessary assistance. For this reason the covenant was taken without murmuring, and it was not perceived, that this proceeding would increase the number of the king's friends, as the parliament had ever dreaded, because it was done at a juncture, when the necessity of it seemed unavoidable.

Shortly after, the king issued out a proclamation to forbid the taking of the covenant, but it produced no great effect. On the contrary, the committee of estates did, by their printed act of the 22d of October, ordain it to be sworn and subscribed by all the subjects, under pain of having their goods and rents confiscated. After that, they summoned all the lords of the council to come and sign it before them. The duke of Hamilton, and some others, refusing to subscribe it, the committee, by another act, of the 17th of November, ordered all their lands to be seized, and their persons to be apprehended, with permission to kill such as resisted. Notwithstanding all this, the king, at the duke's coming to Oxford, caused him, as I said, to be arrested.

After both kingdoms had agreed upon the covenant, the estates of Scotland appointed commissioners to treat with the English, concerning the aid desired. The substance of the treaty, signed November the 29th, is as follows:

"1. That the covenant be sworn and subscribed by both kingdoms.

"2. That an army shall be forthwith levied in Scotland, consisting of eighteen thousand foot effective, and two thousand horse, and one thousand dragoons effective, with a suitable train of artillery, to be ready at some general rendezvous near the borders of England, to march into England with all convenient speed, the said foot and horse to be well and compleatly armed, and provided with victuals and pay for forty days.

"3. That the army be commanded by a general appointed by the estates of Scotland, and subject to such resolutions and directions as shall be agreed and concluded

CHAR. I.
1643.

The king in vain forbids taking the covenant. October 9. Rushworth, V. p. 248. It is ordered to be taken in Scotland under strict penalties. Rushworth, V. p. 484.

Treaty between England and Scotland, Id. p. 485.

CHAR. I. " ed mutually between the two kingdoms, or by committees
1643. " appointed by them in that behalf.

" 4. That the charge of levying, arming, and bringing
" the said forces together, as also the fitting the train of
" artillery, be computed and set down according to the
" same rates, as if the kingdom of Scotland were to raise
" the said army for themselves; all which for the present
" is to be done by the kingdom of Scotland upon accompt,
" and the accompt to be delivered to the commissioners of
" the kingdom of England; and when the peace of the two
" kingdoms is settled, the same to be repaid or satisfied to
" the kingdom of Scotland.

" 5. That this army be likewise paid, as if the kingdom
" of Scotland were to employ the same for their own occa-
" sion; and towards the defraying thereof, shall be monthly
" allowed and paid the sum of 30000*l.* sterling by the par-
" liament of England; out of the estates and revenues
" of the papists, prelates, malignants, and their adherents,
" or otherwise; and in case the said 30000*l.* monthly,
" or any part thereof, be not paid at the time when it
" shall become due, the kingdom of England shall give
" the public faith for the paying of the remainder unpaid
" with all possible speed, allowing the rate of 8*l.* *per cent.*
" for the time of the performance thereof; and in case that
" notwithstanding the said monthly sum of 30000*l.* paid as
" aforesaid, the states and kingdom of Scotland shall have
" just cause to demand farther satisfaction of their brethren
" of England, when the peace of both kingdoms is settled;
" for the pains, hazard, and charges they have undergone
" in the same, they shall by way of brotherly assistance
" have due recompence made to them by the kingdom of
" England, and that out of such lands and estates of the
" papists, prelates, malignants, and their adherents; and
" for the assurance thereof, the public faith of the kingdom
" of England shall be given them.

" 6. And to the end the said army may be enabled and
" prepared to march, the kingdom of England is to pay in
" ready money to their brethren of Scotland, the sum of
" 100,000*l.* sterling at Leith or Edinburgh, by way of
" advance beforehand, which is to be discounted back
" again to the kingdom of England by the kingdom of
" Scotland, upon the first monthly allowance which shall
" grow due to the Scottish army, from the time they shall
" make their first entrance into the kingdom of England.

“ 7. That the public faith of the kingdom of Scotland CHAR. I.
 “ will be given to be jointly made use of with the public 1643.
 “ faith of the kingdom of England, for the present taking
 “ up 200,000*l.* sterling in the kingdom of England, or
 “ elsewhere, for the speedy procuring of the said 100,000*l.*
 “ sterling as aforesaid; as also a considerable sum for the
 “ satisfying in good proportion the arrears of the Scottish
 “ army in Ireland.

“ 8. That no cessation, nor any pacification or agree-
 “ ment of peace whatsoever shall be made without the mu-
 “ tual advice and consent of both kingdoms.

“ 9. That the public faith of the kingdom of Scotland,
 “ shall be given to their brethren of England, that neither
 “ their entrance into, nor their continuance in, the king-
 “ dom of England, shall be made use of to any other ends
 “ than are expressed in the covenant, and in the articles of
 “ this treaty: and that all matters of difference that shall
 “ happen to arise between the subjects of the two nations,
 “ shall be resolved and determined by the mutual advice and
 “ consent of both kingdoms, or by such committees as for
 “ this purpose shall be by them appointed.

“ 10. That the kingdom of England do oblige themselves
 “ to aid and assist the kingdom of Scotland, in the same or
 “ like cases of straits and extremities.

“ 11. That during the time that the Scottish army shall
 “ be employed as aforesaid, for the defence of the king-
 “ dom of Scotland, there shall be fitted out, as men of war,
 “ eight ships, whereof six shall be of burden betwixt one
 “ hundred and twenty and two hundred tun; the other be-
 “ tween three and four hundred tun; all which shall be
 “ maintained at the charge of the kingdom of England, to
 “ be employed for the defence of the coast of Scotland,
 “ under such commanders as the earl of Warwick for the
 “ time of his being admiral shall nominate, with the appro-
 “ bation of the committees of both kingdoms; which com-
 “ manders shall receive from the said earl general instruc-
 “ tions, that they do from time to time observe the directions
 “ of the committees of both kingdoms.”

Though this treaty was not signed till the 29th of No- An army is
 vember, the estates of Scotland were so secure, there would got ready in
 be no objections to the terms, that the troops of the most Scotland.
 distant counties were now marching to the general rendez-
 vus, whilst the treaty was in hand. The very day the
 covenant was sent to England, namely, the 18th of August, Rushworth,
 a proclamation was published in the king's name according V. p. 482,
 to

CHAR. I. to the usual stile, commanding all the subjects of Scotland, 1643. from sixteen to sixty years old, to provide themselves with

ammunition, arms, and forty days provisions, and to be ready to march for the defence of the kingdom. The king could not bear, that an order should be published in his name to his subjects of Scotland, to arm themselves against himself. He writ a vehement letter to the council, commanding them expressly to call in the proclamation, but it was to no purpose. The king seems not to have known, that in Scotland as well as in England, in all state affairs, the king is never considered as separated from the people, and that it is the usual practice to publish all public orders in the king's name, though they are prejudicial to his private interests. History furnishes us with numberless instances, and the king had found, by too frequent experience for some time in England, that in making war upon him, it was pretended to be for his honour and true interest. He himself pretended, that he waged war with both houses in defence of the liberties of parliament. This is an effect of the constitution of the government, whereby the king as the head, and the people as the body, are deemed inseparable. If they happen to be divided, it is not strange, that each pretends to act for the good of the whole, since this pretension is made the sole cause of their division.

Manifesto's
of the Scots.
Id. p. 487,
490.

Upon this foundation it was, that the estates of Scotland published two manifesto's, wherein, supposing the king to have been, and still to be, guided by pernicious counsels, they pretended not only, that they might justly assist the two houses against him, but were bound in conscience to make war upon him. They maintained, they had no other view, than to rescue him from the dangers he willingly exposed himself to, and to labour for his happiness and glory. After all, this maxim is not wholly peculiar to England and Scotland; it has been followed in other states during civil wars. All that can be said, is, that many times the welfare of the king and state, is only a cloke to ambition, revenge, and other criminal passions. But it is not impossible, that what is frequently a pretence only, may sometimes be a very solid reason. It is the part of the wise and unbiassed, who seek only the truth, to distinguish the real motives which engage subjects to take up arms against their sovereigns, in states where an absolute and unlimited power cannot with reason be ascribed to the prince, as in England and Scotland.

The

The king made a long answer to these manifestos, but CHAR. I. it was upon quite contrary suppositions. He pretended, 1643. both houses of parliament had forced him to take up arms in his own defence: that his consent to the acts of the parliament of Scotland, was more than sufficient to secure their religion and liberties: that his subjects of Scotland could not, without being guilty of treason, make war upon him on any pretence whatsoever, and other the like suppositions, which the Scots did not grant, as he did not those made by them in support of their pretended right. There is one, among others, which frequently occurs in the authors who have writ on this subject, and which is admitted, or rejected, according as they lean to either party. And this obliges me just to mention it, in order to arm the reader against the prejudices of both.

In the treaty of peace concluded at London 1641, there Rushworth, was this clause: "That the kingdom of Scotland shall not IV. P. 371. denounce nor make war against the kingdoms of England, or Ireland, without consent of the parliament of Scotland, nor, on the other hand, the kingdom of England make war against Scotland, without consent of the parliament of England. And in case any of the subjects of any, of the kingdoms shall rise in arms, or make war against any other of the kingdoms and subjects thereof, without consent of the parliament of that kingdom whereof they are subjects, or upon which they do depend, that they shall be held as traitors to the states whereof they are subjects. And that both the kingdoms, in the cases aforesaid, be bound to concur in the repressing of those that shall happen to rise in arms, or make war without consent of their own parliament."

The king supposing, that the Scots, in aiding the parliament against him, intended to make war upon England, inferred from this clause, that they were guilty of treason. This inference was founded not only upon the supposition above mentioned, but also upon the convention of estates not being a true parliament, and moreover upon his having given them license to meet, but with such limitations as had not been observed. The Scots supposed on the contrary, that, far from intending to make war against England, their design was to aid and defend that kingdom against the popish and prelatical party, and rescue the king out of their hands.

Thus, what the king called *invading England*, the opposite party called *assisting it*. This must be always remembered when we read the history of those days.

The

CHAR. I. The Scotch army entered England January 15, 1643-4.
1643. But it is not yet time to relate what they did there. It will

be necessary first to speak of what passed concerning Ireland, and of some other important occurrences of the year 1643.

Rushworth,
V. p. 498.
Affairs of
Ireland.

As to Ireland, the success of the first campaign had been so equal on both sides, that neither could boast of having gained any great advantage. The point was to continue the war, each rightly judging, peace would be always very remote, so long as things remained in a state of equality. And therefore the king and the parliament thought of strengthening themselves against the ensuing campaign. The treaty of Oxford not succeeding, as was easy to foresee, the king thought of means to employ at home the English troops that served in Ireland, and to that purpose, of making a truce with the rebels. As this notable project could not but be odious to the English, and render suspicious all the king's protestations with respect to the Irish rebellion, he saw himself obliged to use more caution, to procure an excuse to conclude this cessation. This he did by engaging the lords-justices of Ireland, and the council of Dublin to countenance his project. But as I may be accused of ascribing to the king motives he never had, I think it incumbent on me to alledge here the unquestionable testimony of the lord Clarendon. The reader will find it in vol. II. p. 318. fol. edit.

The king
forms the
project of
making a
truce with
the Irish
rebels.
Cox, Part 2.
p. 130.
Borlase,
p. 112, &c.

“ The king was not all this while without a due sense
“ of the dangers that threatened him, in the growth and im-
“ provement of the power and strength of the enemy, and
“ how impossible it would be for him, without some more
“ extraordinary assistance, to resist that torrent, which he
“ foresaw by the next spring would be ready to overwhelm
“ him, if he made not provision accordingly. And finding
“ by degrees, that it was not in his power to compose the
“ disturbances of England, or to prevent those of Scotland,
“ and abhorring the thought of introducing a foreign nation
“ to subdue his own subjects, he begun to think of expe-
“ dients which might allay the distempers in Ireland; that
“ so, having one of his kingdoms in peace, he might apply
“ the power of that towards the procuring it in his other
“ dominions. He was not ignorant, how tender an argu-
“ ment that business of Ireland was, and how prepared
“ men were to pervert whatsoever he said, or did in it; and
“ therefore he resolved to proceed with that caution, that
“ whatsoever was done in it, should be by the council of
“ that

“that state, who were understood to be most skilful in those CHAR. I.
“affairs.” 1643.

Hence it is evident, that the king's design in making a truce with the Irish rebels, was to employ the English forces which served in that kingdom, to subdue the parliament, and that, to avoid the reproaches which might be cast on him for it, he resolved so to manage, that it should appear to be done by the council of Ireland, that is, by the lords-justices and the rest of the council. In the passage I have quoted, the lord Clarendon insinuates, that the king came not to this resolution till about the end of the year 1643 that is, when he was sure the Scots were to send an army into England. For, after relating what had passed during the campaign of 1643, the parliament's negotiations in Scotland, the covenant of both kingdoms, the resolution taken in Scotland to aid the two houses, the calling of the Oxford parliament, which was not done till December the same year; he comes at last to speak of the king's resolution, to make use of the English troops that were in Ireland. “The king, (says he) was not all this while without a due sense of the dangers that threatened him, and how impossible it would be for him to resist that torrent, which he foresaw by the next spring would be ready to overwhelm him.---He began therefore to think of expedients which might allay the distempers of Ireland.” It is however certain, the king resolved to make a truce in Ireland long before the parliament's negotiation with Scotland, and before the Scots resolution to levy an army. And what invincibly proves that the king was determined, before the engagement of the Scots, is, that the Irish truce was signed the 15th of September 1643, after a long negotiation. Thus, the lord Clarendon's insinuation, that the king did resolve to employ the English forces of Ireland, only to secure himself against the torrent that was ready to overwhelm him, being very ill-grounded, confirms what will be seen hereafter, that he was not induced by necessity to make a truce with the Irish rebels, but by the hopes of subduing the parliament with these additional forces.

To have a pretence to conclude this truce, the king believed, the best way was to persuade the public, it would be extremely advantageous, or rather was absolutely necessary, to the English in Ireland, and their only refuge, to preserve what they still possessed in that country. He had complained several times, that the parliament neglected the Irish war, and would have had a numerous army sent thither,

The king's
pretence to
conclude this
truce.

CHAR. I. ther. But, as I said before, the parliament suspecting, the
 1643. king's aim was only to weaken them by that diversion, were
 { contented with sending from time to time a few supplies to
 continue the war, besides the Scotch troops which made a
 great diversion in the north. These supplies, tho' inconsiderable, had however produced this good effect, that the
 rebels, instead of making greater progress, had on the contrary lost much ground after several defeats. They were
 however still much superior to the English, and though the
 English and Scotch forces were able to curb them a little,
 they were not strong enough to hope to reduce them to
 obedience. Nay, it was to be feared, they would in the
 end be overpowered with numbers, especially as the parliament, engaged in a war with the king, could not send a
 powerful aid into Ireland for fear of leaving England unprovided. This was the pretence used by the king to conclude
 a truce with the rebels.

Perplexity of the lords-justices of Ireland. In the situation of affairs since war had been declared between the king and the parliament, the lords-justices who governed Ireland were greatly embarrassed. They had been commissioned by the king, and consequently from him they were to receive their orders. But on the other hand, the parliament having taken upon them to pay the charges of the Irish war, they could not openly declare for the king, without forfeiting the assistance of the parliament, the king not being in condition to supply them. A perfect neutrality was not possible, because the king's and the parliament's interests being opposite, they could not implicitly obey the one, without being suspected by the other. They chose therefore to try to content both, as far as was possible, and the rather, as the king and the parliament expressed an equal desire to end the Irish war. But they could not remain long in this situation. Such was their case at last, that it

The parliament sends a committee to Dublin, October 1642; who are well received, and assist the council. Rushworth, V. p. 530. They are sent back by the king's order, after,

s They carried with them 20,000 l. powder, ten tun of match, and other ammunition. Rushworth, Tom. V. p. 530.

after, he removed some of the lords-justices and counsellors¹. **CHAR. I.**
 Probably, he was then forming the project of a truce with **1643.**
 the rebels, and wanted for that purpose, that the lords-
 justices and all the counsellors should be disposed to act ^{Some of the}
 only by his orders. Besides, on this supposition, the parlia- ^{lords-justices}
 ment's commissioners could not but be a great impediment, ^{and counsel-}
 had they continued to assist at the council of state. From ^{lors removed}
 that time also, the instances of the lords-justices to the king ^{by the king.}
 and parliament for aid, became more pressing and frequent. ^{Borlase,}
 They represented the state of the English in Ireland as en- ^{p. 112, &c.}
 tirely desperate, without a speedy supply of men, money,
 and ammunition. They said, the officers were very im-
 portunate for leave to return to England. In a word, they
 omitted nothing, that was apt to create a belief, there was ^{Rushworth,}
 no remedy. On the other hand, some officers of the Eng- ^{V. p. 537.}
 lish army presented a remonstrance to the lords-justices,
 April the 4th, 1643, declaring, they were reduced to de-
 spair for want of money to subsist, and that it ought not to
 be thought strange, if in their case they should have recourse
 to the first and primary law of nature, namely, the law of
 self-preservation. If to these so earnest complaints be added, ^{Clarendon,}
 what the lord Clarendon says, that the king resolved so to ^{II. p. 319.}
 proceed, that every thing should appear to be done by the
 council of Ireland, the sending back of the parliament's
 commissioners, and the changes made among the lords-just-
 ices, and members of the council, one can scarce help sus-
 pecting these complaints to be all begged, on purpose to
 serve for pretence to the cessation. This suspicion seems the
 more probable, as at that time the affairs of the English in
 Ireland were upon a very good foot, and as the marquis of
 Ormond had just gained at Ross a signal victory over the
 rebels. Accordingly the lords-justices, as well as the offi-
 cers, took care not to make the progress of the rebels the
 grounds of their complaints, but only the want of money,
 provisions, and ammunition.

However this be, the remonstrance of the officers being ^{The king}
 sent to the king, he took occasion from thence to send to ^{impowers}
 the marquis of Ormond a commission, empowering him to ^{the marquis}
 treat with the rebels, and agree with them upon a cessation ^{of Ormond}
 of arms for one year. He gave notice of it to the lords- ^{to treat with}
 justices, in a letter of April the 23d, 1643, commanding ^{the rebels.}
 them to assist the marquis in the execution of his commis- ^{April 23,}
 sion, to the utmost of their power. The date of this com- ^{1643.}
 mission is remarkable, for it evidently shows, that the Scots ^{Rushworth,}
^{V. p. 537.}
^{Borlase,}
^{p. 115.}
 resolution

¹ See the declaration hereafter of both houses, concerning the affairs of Ire-
 land. Rapin.

CHAR. I. resolution to assist the parliament, which was not taken till 1643. the following August, was not the cause of the Irish truce.

May the third, the king renewed his orders to the marquis of Ormond concerning the truce. But before the marquis had received these fresh orders, the lords-justices had writ to the king, the 11th of the same month, a very expressive letter, representing the miserable condition of Ireland, in such terms as showed, that every one was reduced to despair for want of money, and provisions, tho' till then the English forces had been crowned with success against the rebels^u.

The king, who meant to take advantage of this letter, to demonstrate to the public, the necessity of the cessation he intended to conclude, sent it to both houses^v, who immediately took the affair into consideration. A committee was appointed, with orders to think of ways to raise money for Ireland. Upon the report of the committee, the parliament resolved to raise money by voluntary contributions, and offered very advantageous terms to such as should advance the sums required^x. But notwithstanding this, the king, July the 2d, dispatched fresh orders to the lords-justices and the marquis of Ormond, to conclude a truce for one year, which they were already endeavouring. From the 20th of June, the general council of the Irish, assembled at Kilkenny, had granted a commission to treat^y.

September the 7th, the king repeated his orders to the marquis of Ormond, to conclude the truce as soon as possible. At the same time he ordered him to send into England, all the English forces that could be spared after the conclusion of the truce. His reason was, and he could justly say it then, that an army was preparing in Scotland to invade England. But there was no mention of that article in the foregoing orders.

At length, the cessation was signed the 15th of September, on the condition that both parties should remain in possession

^u They complained, that they had no victuals, clothes, or other provisions requisite towards their sustenance; no money to provide them of any thing they wanted; no arms, and not above forty barrels of powder in his majesty's stores. Rushworth, Tom. V. p. 538.

^v The house refused to receive the letter, because not directed as usual, but referred it to a committee to open it, and report the contents. Whitelock.

^x The adventurers were to have such and such towns, with so many acres of

land for security, upon advancing such a sum upon each town. The sum proposed to be raised, was 200,000 l. Rushworth, Tom. V. p. 540, 542.

^y The commissioners appointed by the catholic party to treat with the marquis of Ormond, were Dannogh Viscount Muskerry, Sir Lucas Dillon, Nicholas Plunket, Sir Robert Talbot, Sir Richard Barnwell, Torlogh O Neale, Geoffery Brown, Ever-Mac Gennis, and John Walsh. Rushworth, Tom. V. p. 548.

The lords-justices are very urgent for aid.

May 11.
Rushworth,
V. p. 538.
Clarendon,
II. p. 320.

The king sends their letter to the parliament.
June 16.
Rushworth,
V. p. 539,
— 544.

The king sends new orders about the truce.
Id. p. 544,
545.
Clarendon,
II. p. 323.
Rushworth,
V. p. 547.

The truce signed.
Id. p. 548.

cession of what they held. The king founded the necessity of it, first, upon a remonstrance presented to him December the first, 1642, by four colonels, as well in their own, as in the names of many other officers, who served in the army of Ireland, wherein they told him it was impossible for them to subsist any longer, if means were not found to supply their pressing wants. Secondly, upon the repeated letters sent from the lords-justices to the king and the parliament, since January 1642-3, wherein they said, the army was going to perish in few days, for want of assistance. Thirdly, upon the forementioned remonstrance of the officers of the 4th of April, wherein they pretended a few hours delay to assist them, would be too long². Nevertheless this army, which was reduced to extremity the first of December 1642, found means to subsist till the 15th of September 1643, though the lords-justices complained, they had received no supplies since November. This is a clear evidence, that all these complaints were very much aggravated by the private direction of the king, who meant to use them for pretence to the truce. This is what the parliament represented in a declaration published on account of the Irish cessation, before they had notice of its being concluded: they complained very strongly, that they were never acquainted by the states of Ireland with the treaty of a cessation, much less was their advice demanded, notwithstanding that by act of parliament, and by his majesty's commission under the great-seal, both houses were "to advise, order, and dispose of all things concerning the government and defence of that kingdom." They said, that to accomplish the more easily this dishonourable cessation, those of the state in Dublin, who were so honest and religious as to dissuade it, were first discountenanced, and at last put out of their places, and restrained to prison, as Sir William Parsons one of the lords-justices, Sir John Temple master of the rolls, Sir Adam Loftus vice-treasurer of Ireland, and Sir Robert Meredith, one also of the council-table. That it was made only with a view to discourage those who had subscribed to advance money upon the parliament's proposals, in order to render impossible the maintenance of the army in Ireland, and to employ it in England to the destruction of the parliament. For these and many other

CHAR. I.
1643.

Both houses
complain of
it.
Id. p. 555.
Clarendon,
II. p. 323.

² There are no such words in the remonstrance; they say indeed, "They are brought to so great exigency,"

"that they are ready to rob and spoil one another." Rushworth, Tom. V. p. 537.

CHAR. I. other reasons, which I omit, not to be tedious, both houses
1643. declared the intended cessation void, promising to indemnify
those who should refuse to submit to it ^a.

Part of the
Irish army
land in Eng-
land to serve
the king.
Novemb.
Rushworth,
V. p. 299,
300.
Clarendon,
II. p. 337.

Mean while, the king who was assured of the concurrence of the lords-justices, the council of state, and the marquis of Ormond general of the army, so ordered it, that after the conclusion of the truce all the English troops that could be spared were sent to him. These forces landed at Mostyn in Flintshire, and their first attempt was upon Hawarden castle, which was surrendered to them the 4th of December. Then they took some other small places in Cheshire ^b; after which the lord Byron ^c, who commanded for the king in those parts, besieged Nantwich, January the 15th 1643-4. Three days after, making a sudden and violent storm upon five several places of the town at once, he was every where repulsed with the loss of many of his men. At last, the 21st of the same month, the lord Fairfax, who advanced to relieve the town, entirely routed the Irish army, consisting of three thousand foot, (who were almost all slain or taken prisoners) and of eighteen hundred horse, most of whom escaped by flight, but were so dispersed that they could be of no farther service to the king. Colonel George Monk was taken in this action, and sent prisoner to the Tower of London, where he remained some time, till at last he took up arms under the parliament ^d. Thus the king received no advantage by these troops, nay, they rather did him great prejudice, in that by all his proceedings to procure them he confirmed the mistrust entertained by many people, of his being concerned in the Irish rebellion.

They are en-
tirely routed
by the lord
Fairfax.
Rushworth,
V. p. 300,
302.
Clarendon,
II. p. 350.
Monk is
taken priso-
ner.

Several e-
vents of the
year 1643.

Not to interrupt the thread of the military actions, and of what passed in Scotland and Ireland, I have been forced to pass over several important events of this year 1643, of which it will be necessary to speak, tho' without any connection, as they are of a different nature. The reader will easily, by observing the dates, perceive their relation to the
general

^a Whitelock says, twenty thousand English and Scots in the north of Ireland, vowed, "to live and die together in opposition to the cessation." Mem.

^b Namely, Beeston castle, Northwich, Crew-house, Dedington-house, and Acton church. Rushworth, Tom. V. p. 300, 301.

^c Sir John Byron was made lord Byron of Roxdale, the 24th of October, 19 Car. I. and his brother Richard,

Lord Vaughan of Emlyn, the day following. Dugdale's Baron, Tom. II. p. 469.

^d Among the prisoners were taken a hundred and twenty Irish women with long knives, wherewith they were said to have done mischief. This fight was reported to be as sharp for the time, as any that had happened before in those wars. Rushworth, Tom. V. p. 302.

general affairs. I shall begin with certain projects framed at London, to compel the parliament to make peace, whilst the armies were in the field. CHAR. I.
1643.

The king was ever strongly possessed with the notion, that fear alone held most of the people attached to the parliament, and that if he procured them a good opportunity to hold up their heads, he should oblige both houses to make a speedy peace, without demanding the securities, which made the principal obstacle. This was his favourite scheme, as well as of his ministers, his council, his friends, and adherents in London and elsewhere; and this was the spring of several projects to force the parliament to a peace. It would indeed be very strange, that so many able men should be of this opinion, without any manner of foundation. But on the other hand, one knows not what to think, when it is considered, that of so many projects, built upon this supposition, not one succeeded, which seems to argue that the majority of the people were not for the king. However, it is certain, the king had many friends in London, and in the parliament itself, who served him artfully by pretending to dread that the war would be destructive to the parliament, and thereby they endeavoured to infuse a real terror into the people, and incline them by degrees to wish and sue for peace. These men incessantly plotted to sow discord between the parliament and the people. As it was necessary for them to hold private correspondence with the court, in order to act according to directions, his majesty sent frequent messengers to London, sometimes secretly, sometimes openly, under colour of bringing messages to the parliament, in order to convey his instructions to his friends, and be exactly informed of what passed in both houses and the city. With this view in December 1642, he published for the sake, as was pretended, of the inhabitants of London, a proclamation, for the free and safe passage of all goods, wares, and merchandizes to the city. But the commons suspecting some hidden mystery under this condescension, passed the next month two orders, the one, That no carriers or waggoners should be permitted to go to Oxford or elsewhere, without special licence from the parliament: The other, that any agent or servant to any person that was in arms against the parliament, who should presume to come to Westminster, or reside about London, should be forthwith apprehended as a spy. The 10th of April following, these orders were renewed, and even extended to all persons

A plot to force the parliament to a peace.

The king allows free commerce between his quarters and London, Decemb. 8. Rushworth, V. p. 83. The commons forbid it.

Jan. 16. Id. p. 127. Id. p. 314.

CHAR. I. that should come from the king's quarters to London without a safe-conduct, and the same was printed and published.

In all appearance, the king, who had so many correspondents in London, was not ignorant of this order. Nevertheless, on pretence it was not signified to him in form, he sent a message to the parliament, with an offer of peace in general terms, without demanding a safe-conduct for the bearer. But the commons, resolving to stop the course of these artifices, which served to carry on the king's private correspondence in London, ordered the messenger to be sent to prison, for coming without a safe-conduct. Three days after, to show the people, the king vainly amused them with hopes of a peace, they impeached the queen of high-treason, and sent up the impeachment to the lords by Mr. Pym. The king, full of indignation at this extraordinary proceeding, published a proclamation, to forbid obedience to the orders of both houses, declaring, he acknowledged them no longer for houses of parliament.

Affairs were in this situation, when both houses discovered a conspiracy formed in London, ever under colour of procuring peace refused by the parliament. I shall give the particulars of this conspiracy, as they were communicated to the lords by Mr. Pym, at a conference between the two houses. He told them.

" I. That the conspiracy was formed of a mixture and conjunction of persons of several qualities, some whereof were of both houses of parliament, others of the city, and others belonging to the court, who in their respective places and employments were to form and perfect the work, raised out of the ashes of the late petition of London for peace.

" II. The chief actors were Mr. Waller, a member of the house of commons, who pretended, and gave out to the rest, that many others of that house, and of the lords, were privy to and concerned therein; Mr. Tompkins, a gentleman living in Holbourn, brother-in-law to the said Mr. Waller, and a servant to the queen, as being secretary to the commissioners for her majesty's revenue; Mr. Challoner an eminent citizen; one Mr. Blinkark, Mr. Alexander Hampden, who brought the last message from the king; Mr. Hassel, one of his majesty's messengers, &c.

" III. The method was, for several persons in the city to dispose of themselves into a committee, to hold intelligence with both armies, the court, and the parliament,

" to

The king sends a message to both houses without a safe-conduct.

May 20.

Id. p. 321.

The messenger is imprisoned.

The queen is accused of high-treason.

May 23.

Ludlow.

The king forbids obedience to both houses.

Rushworth,

V. p. 331.

Clarendon,

II. p. 291.

A plot to

force the

parliament

to a peace.

Rushworth,

V. p. 322.

Clarendon,

II. p. 1,

&c.

T. May.

“ to take a general survey of the affections of all the inha- CHAR. I.
 “ bitants within the weekly bills of mortality, which was 1643.

“ to be done under these three ranks, *right men*, (or of the
 “ king’s party) *averse men*, (or the well affected to the
 “ parliament) and *moderate men*, (or neutrals;) to consider
 “ of arms, ammunition, and all provisions of war, to ap-
 “ point out of themselves select persons to treat with Mr.
 “ Waller and Mr. Tompkins in relation to the city, court,
 “ and parliament; as also with Sir Nicholas Crisp, Sir
 “ George Binion, captain Roydon, and others at Oxford.

“ IV. Mr. Waller’s part was to engage a considerable
 “ part of the lords and commons, and to be a means of con-
 “ veying counsels, resolutions, and intelligence between
 “ them and the said city-committee. Mr. Tompkins was
 “ not only an assistant to Mr. Waller therein, but an in-
 “ strument to convey by Haffel and others their proceedings
 “ to the court, principally to the lord Falkland, and to re-
 “ ceive thence directions, powers, and commands.

“ V. For preventing discovery, protestations of secrecy
 “ were taken, as they were christians not to disclose it, and
 “ no man in the city was to endeavour the engaging above
 “ two, whereby no one man could impeach many.

“ VI. From the court, Mr. Heron and Mr. Alexander
 “ Hampden, and others employed upon messages from the
 “ king to the parliament, were to convey directions, en-
 “ couragements, and advice to those in London, and autho-
 “ rity was to be given under the great-seal, and warrants
 “ under the king’s hand, for settling a council of war,
 “ naming of generals and other officers, execution of mar-
 “ tial law, raising of money, and providing arms; and to
 “ facilitate the whole, part of the king’s forces to be in rea-
 “ diness to assist the party here, as there should be occasion.

“ VII. The particulars of the design itself were, to seize
 “ the king’s children, to secure several members of parlia-
 “ ment, particularly the lord Say, the lord Wharton,
 “ Mr. Pym, Sir Philip Stapleton, colonel Hampden, and
 “ colonel Strode, as also the lord-mayor and committee of
 “ the militia, under pretence of bringing them to a legal
 “ trial; to seize upon the outworks, forts, magazines,
 “ gates, and other places of importance in the city and the
 “ Tower, and let in the king’s forces, and in the mean
 “ time to resist and obstruct all payments, imposed by autho-
 “ rity of the two houses for support of their armies.

“ VIII. For their authority they had the following com-
 “ mission brought up by the lady Aubigny, (who was un-
 “ det

CHAR. I. "der custody) the said commission being found hid under-
1643. "ground in Mr. Tompkins's cellar.

"IX. In pursuance of this commission, they had often consulted of a general, and treated with Sir Hugh Pollard, prisoner in the Compter (once a member of the house of commons, but expelled, being accused of having an hand in the design to bring up the northern army against the parliament,) about it. And a declaration was ready drawn, setting forth the cause of their taking up of arms to be in pursuance of their late protestation, to maintain the true reformed protestant religion against all papists and sectaries, to oppose illegal assessments, &c. which was to be distributed to their friends, and on the night of their rising, set upon the posts round about London. Concerning which time of their rising they had also consulted, (of which precise notice was to be sent to Oxford, as to the day and hour) and some moved to have it done on Wednesday the last of May (being the fast day, and the very next day after the first intimation was given towards a discovery) but it had been put off, and not fully concluded, it being said, *it should be left to the lords to determine*, whom Waller pretended should side with them. Mr. Hassel lay close at Beaconsfield, and had word sent, *the great ship was come in the Downs*, by which he was to understand, that the design was near ripe; and he acquainted the lord Falkland at Oxford therewith, and received answer, that they should hasten it with all speed, and when they were ready, three thousand of the king's forces were to advance from Oxford within fifteen miles of London, to be ready upon notice to fall into the works, and assist; and white ribbons or tape was agreed to be worn by all concerned in this action to distinguish them."

T. II, p. 194. The lord Clarendon, who is very large upon this conspiracy, denies neither the plot itself, nor the king's commission, brought to London by the lady Aubigney*, but urges, that the parliament confounded in one single plot, two different projects, the first formed by Waller, Tompkins, and Challoner, who were at London, and the other by

* This lady, with the consent of both houses, went to Oxford, to transact her own affairs with the king, upon the death of her husband, who was killed at Edge-hill, and having done her business, and being ready to return, she was desired by the king to carry a small box (in which was put

the commission) to London, and deliver it to one that should come for it with such a token, which she did accordingly, not knowing what she carried. Clarendon, Tom. II. p. 195. Ludlow says, she brought the commission made up in the hair of her head. T. I. p. 82.

by Sir Nicholas Crisp, who being recorder of London¹, CHAR. I. had been imprisoned, and making his escape, had retired to 1643. Oxford. But however, whether there were two plots or one, it is no less apparent, that the king's design was to compel the parliament to a peace, and that his frequent messages to both houses with offers of peace, were often but artifices to carry on his correspondence in London.

This discovery caused both houses to resolve to unite themselves still more strictly together, by a new covenant or oath, tendered to all the members, and afterwards to the army, and such of the people as were willing to take it. Rushworth, Tompkins, Challoner, and two other conspirators were V. p. 325² hanged³. But Waller saved his life, paying a fine of ten thousand pounds, and was banished the kingdom. Hampden died in prison before his sentence, and Hassel died likewise the night before his trial. The ill success of this plot prevented not the like from being contrived the next August.

Since the miscarriage of Waller's conspiracy, the king had a train of successes, which revived the courage of his friends at London, who began to be dismayed. The lord Fairfax was defeated at Atherton in Yorkshire. The queen was come to his majesty with a considerable supply. Waller was intirely routed at Roundway-down; and the king, now master of Bristol, was preparing to besiege Gloucester. Thus crowned with success, he thought it a favourable opportunity to force the parliament to a peace, and all his London friends began to use their endeavours. Whether this project came from the court, or the king had only approved of it, he believed it requisite to prepare the minds of the people by a public declaration, to this effect:

"As the grievances and losses of no particular persons The king's declaration could be compared to the damage he himself sustained; after his
"so a peace could not be so welcome to any man as to him. successes to
"God almighty knew, with what unwillingness, and an- prepare the
"guish of soul, he submitted to the necessity of taking up people.
"defensive arms. And the world knew, with what justice Clarendon,
"and bounty he had repaired his subjects for all the pressures II. p. 333.
"they had borne, by such excellent laws, as would for
"ever have prevented the like; and with what earnestness
"he desired to add any thing, for the establishment of the
O 4 "religion,

¹ This does not appear. He is said only to be a popular citizen, and had been an officer in the trained-bands. Clarendon, *ibid.* p. 194.

² Tompkins was hanged at the end of

Fetter-lane in Holbourn, and Challoner over-against the Royal-exchange, July 5. Rushworth, *Tom.* V. p. 326. T. May says, that none but them two were executed. B. 3. p. 45.

ONAR. I. "religion, laws, and liberty of the kingdom; all which
 1643. "had been evidently invaded by those who had sacrificed
 "the public good to their own ends. He well remembered
 "the protestation made by him, at the head of his army,
 "to defend and maintain the true reformed protestant religion,
 "and if it should please God to bless his arms with success, he
 "would maintain the just privileges and freedom of parliament;
 "and govern by the known laws of the land, for whose defence
 "that army was only raised. And there could not be a more
 "seasonable time to renew that protestation than now;
 "when God had vouchsafed him so many victories, which
 "would hinder him from falling under the scandalous im-
 "putation, that his messages of peace proceeded from the
 "weakness of his power, not love of his people. He de-
 "clared therefore to all the world, in the presence of God,
 "that he was so far from intending any alteration of the
 "religion established, in which he was born and bred, and
 "would resolutely die, or from the least thought of invad-
 "ing the liberty and property of the subject, or violating
 "the just privileges of parliament; that the preservation of
 "the established religion, the laws, the liberties of the
 "people, and the just privileges of parliament should be
 "equally his care, as the maintenance of his own rights.
 "Whether those that were enemies to the established eccle-
 "siastical government, who persecuted the learned, ortho-
 "dox ministers, and put into their places, ignorant, sedi-
 "tious, and schismatical preachers, who villified the book
 "of Common-prayer, and profaned God's worship were
 "like to advance religion: whether those who, without
 "the least shadow of law, imposed exorbitant taxes upon
 "their fellow subjects, imprisoned, tormented, and mur-
 "dered them, were like to preserve the liberty and prop-
 "erty of the subject, and whether those who had invaded
 "the just rights of the crown, denied the king his negative
 "voice, awed and terrified the members of both houses,
 "were like to vindicate the privileges of parliament, all
 "the world might judge." In short, after several invectives
 "against the two houses, he concluded with saying: "*Who-*
 "*soever have been misled, by those whose hearts from the begin-*
 "*ning have designed all this mischief, and shall redeem their*
 "*past crimes, by their present service and loyalty, in the appre-*
 "*tending or opposing such who shall continue to bear arms against*
 "*us, and shall use their utmost endeavours to reduce those men*
 "*to their due obedience, and to restore the kingdom to its wonted*
 "*peace, shall have cause to magnify our mercy, and to repent*
 "the

the trespasses committed against so just and gracious a sovereign reign^b. CHAR: I.
1643.

It is not difficult to perceive, that by this declaration, and especially by the latter part of it, the king's aim was to excite and authorize an insurrection in London against both houses, and what happened presently after puts it intirely out of doubt. This declaration was therefore a preparative for the execution of a plot, to compel the parliament to a peace. Undoubtedly, the king was really desirous of a peace. But it must be always remiembered, what peace it was he so earnestly wished. It was a peace that should re-invest him with all his prerogatives, after which he promised to govern according to the known laws of the land. But in this promise lay the whole difficulty of the peace, the parliament pretending it could not be relied on, and the king offering no other security than his word, tacitly supposing it to be a crime to doubt his sincerity.

This declaration was no sooner published than the king's friends began their usual artifices in London. They affected an extraordinary terror, caused by the prosperous success of the king's arms, and insinuated, that the consequences should be prevented by a peace. But as the examples of Tompkins and Cholloner had effectually terrified the king's most devoted friends, not one dared openly to expose himself to the same danger. It was therefore resolved among them, that the house of lords should first break the ice, and propose a peace to the commons, which should be seconded by the king's friends in London. The upper-house consisted but of few peers, some of whom were either openly or privately for the king. Others were his enemies, and some were ready to follow the stream which way soever it carried them. These were the men the king's party strove to gain by various means, in order to be superior in the house of lords, some by promises, others by threats, and some again by way of persuasion, intimating to them the absolute necessity of a peace. In short, they secured a majority of voices in the upper-house: not that all they prevailed with, absolutely promised to be devoted to the king: (that was not the point;) but only to agree that a peace should be proposed by their house, which could not be considered but as a

The house of lords propose to send offers of peace to the king. Clarendon, II, p. 245.

^a Adding, "We desire all our good subjects, who have really wished us well, now God has done such wonderful things for us, vigorously to endeavour to put an end to all these miseries, by bringing in men, money, plate, horses, or arms, to our

aid, that so we being not wanting to ourselves, may with confidence expect the continuance of God's favour, to restore us all to that blessed harmony of affection, which may establish a firm peace."

very

CHAR. I. very innocent thing. The managers of this contrivance took care, not to propose a peace without terms, such as the king desired. That alone had been sufficient to make them lose some of those they had gained. They had only to engage the commons to enter into negotiation, after which, they hoped the superiority the king then had, supported with the endeavours of his party, would be capable to remove in his favour the difficulties that might occur in the principal articles. This resolution being taken, the lords sent and desired a conference with the commons, where they declared, that they had resolved to send propositions of peace to the king, and hoped the commons would concur with them. The propositions were:

Propositions
for peace
given to the
commons, in
a conference
by the lords,
August 5,
Ibid.

“ 1. That both armies might be presently disbanded, and his majesty be intreated to return to his parliament, upon such security as should give him satisfaction.

“ 2. That religion might be settled with the advice of a synod of divines, in such a manner as his majesty, with the consent of both houses of parliament, should appoint.

“ 3. That the militia, both by sea and land, might be settled by a bill; and the militia, forts, and ships of the kingdom, put into such hands as the king should appoint, with the approbation of both houses of parliament: and his majesty's revenue to be absolutely and wholly restored unto him; only deducting such part as has been of necessity expended for the maintenance of his children, and and not otherwise.

“ 4. That all the members of both houses, who had been expelled only for absenting themselves, or mere compliance with his majesty, and no other matter of fact against them, might be restored to their places.

“ 5. That all delinquents, from before the tenth day of January 1641, should be delivered up to the justice of parliament, and a general pardon for all others on both sides.

“ 6. And lastly, that there might be an act of oblivion for all by-gone deeds, and acts of hostility.”

Probably, those who had caused these propositions to be passed in the house of peers, did not themselves believe, a peace could be made upon these foundations. The difficulties which occurred in the three first propositions, had been very often debated, both before and since the beginning of the war, without the possibility of coming to any conclusion. It was therefore unlikely, that the king, in his prosperity, would grant what he had denied when his affairs were not

in so good a situation. But, as I said, the intention of the managers of this contrivance was only to procure a negotiation, persuaded as they were, that by their interest and cabals, or by an insurrection of the people, they should cause these points to be decided in favour of the king. For that reason, the principal proposition, namely, the third concerning the militia, which the parliament had always carefully explained, was expressed in a very general and ambiguous manner, in these terms, *That the militia might be settled by a bill.*

The commons plainly saw what was the aim of the authors of these propositions, and were terrified at it. The house was apprehensive, that they were but too powerfully supported, otherwise, it was not likely they should have taken such a step, at a time when a committee was already gone to desire assistance of the Scots. Wherefore, after a long debate, it was resolved, by a majority of votes, that the propositions should be sent to the king. It is extremely probable, this resolution was taken only to amuse the king's friends, and to gain time, in order to break their measures the more easily. For the next day the lord-mayor of London, attended with a crowd of people, came to the house of commons, of which he was a member, and delivered, from the common-council, a petition, wherein the house was intreated to persist in their former resolutions, and reject the propositions of the peers. The lord-mayor affirmed also, that the people of London were ready to exert their utmost for the vigorous prosecution of the war. Whereupon, the house took courage again, and reversed the resolution of the foregoing day. Thus, the king's friends were in their turn greatly embarrassed, and under a necessity of taking new measures. The expedient they devised was to cause the women to rise, in hopes that such an insurrection might breed a greater, and occasion some revolution.

August the 9th, a petition for peace was presented to the commons by two or three thousand women, with white silk ribbons in their hats. The conditions proposed by them were exactly the same as the king had always offered. A general answer being sent to them, they were not satisfied, and their number by noon increasing to five thousand, they came to the door of the house, crying, "*Peace, peace; give us those traitors that are against peace, that we may tear them to pieces; give us that dog Pym.*" Part of the trained-bands (that usually stood centinel there) firing upon them with powder only, to fright them away, they laughed at it, and

CHAR. I.
1643.

The commons in a fright consent to the propositions.
Clarendon, T. II. p. 246.

The petition of the city of London against the propositions.
Rushworth, V. p. 356.
Clarendon, T. II. p. 247.
The propositions are rejected.

The women's tumult.
Rushworth, V. p. 357.
Clarendon, T. II. p. 248.

CHAR. I. and finding a heap of brickbatts in the yard, threw them at 1643. the centinels, and drove them away. At last, some troops were forced to be sent for, who, after using fair means in vain, drew their swords, and cut them over their hands and faces. A ballad-singer was killed upon the spotⁱ, and another woman lost her nose, whereof it was said she afterwards died. At length, they were dispersed. The lord Clarendon, (who says many were killed and wounded,) affirms; they were the wives of substantial citizens; which is hardly credible^k. Thus ended the grand project of forcing the parliament to a peace, a project wherein means was found to ingage several lords, and many commoners under colour that a peace was necessary to the state. Nothing could be truer, but care was taken not to discover to them, that on pretence of labouring for the public, the king's advantage alone was really sought.

Ibid.

Character of
the earl of
Essex.

The earl of Essex was one of those who were most desirous of peace, but not in the same manner as the king's friends. These were for a peace, and used their utmost endeavours to procure it: but it was such a peace as the king offered, that is, a peace founded only upon his word. The earl of Essex did not think it impracticable, in concluding a peace, to find necessary securities for the nation's liberties: as appears in his letter of the 9th of July to the speaker, wherein, after the description of Chaldgrave-field, he says; "If it were thought fit to send to his majesty to have peace, with the settling of religion, the laws and liberties of the subject, and to bring unto just trial those chief delinquents that have brought all this mischief to both kingdoms: and (as my lord of Bristol spake once in parliament) how we may be secured to have these things performed hereafter; or else, if his majesty shall please to absent himself, there may be a day set down to give a period to all these unhappy distractions by a battle, which, when and where they shall chuse, that may be thought any way indifferent, I shall be ready to perform that duty I owe you; and the propositions to be agreed upon between his majesty and the parliament, may be sent to such an indifferent place, that both armies may be drawn near the one to the other; that if peace be not concluded, it may be ended by the sword."

His letter to
the speaker.
July 9.

Rushworth,
V. p. 291.

It

ⁱ Rushworth says, she was shot by the centinels, who, upon the brickbats flying about their ears, were forced to fire ball. Tom. V. p. 358.

^k Rushworth says, they were gene-

rally of the meaner sort. It is a little strange, Whitelock should say nothing of this tumult, who is so particular in every thing relating to the House of commons,

It is evident, this is not the language of a man proposing a peace to gratify the king, and solely with intent to procure a negotiation from which the king might reap some advantage; but of one that heartily wished for such a peace, as might put a happy period to the distractions of the kingdom; or if that could not be by means of a peace, to end them at least by a battle. He was, doubtless, of opinion, that the nation would run less hazard by venturing a decision by arms, than by the continuance of the war. Nothing better demonstrates the uprightness of his intentions. But there were few in those days of the same disposition. The king passionately wished for peace; but it was on condition he should be no loser by it, that he should be restored to all his rights, and his word relied on for the future. As to religion, all he would yield was, that the presbyterians should not be compelled by penal laws to conform to the church of England. Hitherto he had advanced nothing that might make them hope for a public toleration of their religion. The parliament for their part wished likewise for peace, provided by the peace the king was restrained from returning to his former courses, that is, was so humbled that he should be able to do nothing without the consent of both houses, and enjoy only the empty name of a king, with the external badges of royalty. As to religion, there were very many, as well members as others, who preferred the continuation of the war, let what would be the event, to seeing the bishops restored to their power. This must be always remembered, when either of the two parties is heard to speak of peace. The like disposition to the earl of Essex was doubtless the cause that some were dazzled with the bare sound of peace, and the limitations inserted in the propositions to be sent to the king at the time of the late plot. But it may be affirmed, that the chief authors of the artifice were far from having the nation's welfare in view, and thought only of serving the king. I don't question; but some others were persuaded to consent to the propositions by reason of the end proposed by the presbyterian party and now publicly known, as they perceived, that the advantages the parliament might gain upon the king in the continuation of the war, would only serve to ruin the church of England with the greater ease.

The earl of Essex's integrity made him experience what usually happens to honest men in civil dissensions, where the moderate pass for indifferent, and coldly affected to their party. The king, who was informed of this lord's moderation,

CHAR. I.
1643.

The king
tries in vain
to gain the
earl of Essex.

CHAR.-I. before. For shortly after, the earl of Essex's army was enabled to relieve Gloucester, and the parliament approved of the covenant made with Scotland, in which doubtless they would have been opposed by those that were lately withdrawn. I must now proceed to other matters.

Disgrace of Sir John Hotham. Id. p. 476. I just mentioned, that Sir John Hotham, governor of Hull, was apprehended by order of parliament: it is now time to speak of the cause of his disgrace. The king had been so incensed with him, that there was little probability of his ever pardoning the indignity he had received from him, or of Hotham's delivering himself into his hands. And yet, the desire of becoming master of Hull in the one, and the thirst of revenge in the other, made them forget all that was past. Hotham, as he could not bear that, after the service he had done the parliament in keeping Hull for them without dreading to expose himself to the king's indignation, the lord Fairfax should be made commander in chief of all the forces in the north, an honour, which doubtless he thought himself more worthy of, resolved to be revenged for this pretended injustice by delivering the place to the king. The precise time of his applying himself to the earl of Newcastle is not known; but it is certain, he writ several letters to him, which were communicated to the queen whilst she was in the north. He had drawn his son, captain Hotham, into the plot, and it was agreed between them, to deliver Hull to the queen, when on her march with her troops to the king. Mean while, young Hotham having given some occasion to suspect him, was seized by Sir John Meldrum, and sent prisoner to Nottingham-castle. Hotham found means to escape, and going to Lincoln, writ from thence to the parliament, complaining of the injury done him, and affirming he was ready to answer whatever should be laid to his charge. But as the queen was now upon her march, and it was time to execute the design, he returned to Hull, to contrive the means with his father. The queen thought herself so secure of having Hull very soon in her power, that she said in her letter of the 27th of June to the king, "She stayed at Newark but for one thing, to have Hull and Lincoln, for which she hoped he would pardon two days stop." At the same time that the order was sent to seize young Hotham, the mayor of Hull was told to have an eye upon the father, examining his conduct, and take care to preserve the town. The son's return

Rushworth, V. p. 275.

Rushworth, V. p. 275.

June.

June 24.

Id. p. 274.

* Whitelock observes, that Hotham was as high and merse, as Fairfax was meek and courteous, p. 70.

return to Hull after his escape from Nottingham, the suspicious he already lay under, and the notice received from Mr. Moyer, captain of a man of war then in the road, that Hull was going, that night or the next, to be delivered to the king, made Sir Matthew Boynton the mayor, though brother-in-law to the governor, resolve to prevent it. That very night, whilst the Hothams were in bed, all the townsmen, officers, and soldiers of known affection to the parliament, were assembled without noise, and all the ports of the town seized, without one drop of blood, or so much as a musket discharged. Mean while, I know not for what reason, they had neglected to secure the two Hothams, who found means to get out of the town: but at their coming to Beverley, they were both seized and brought to London, where, after a long imprisonment, they were condemned and executed ^P.

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June 28.

Rushworth,
V. p. 744.
— 750.

There were two things which did the king great injury, with regard to the people, and from which he omitted no opportunity to justify himself, knowing how detrimental such prejudices might be to him. The first was, that he countenanced popery; the second, that he had excited the Irish rebellion, or at least connived at it. These two articles both houses made no scruple to insinuate, and even to maintain openly in their papers. Not that they had positive proof of what they advanced; but they drew from his actions and divers past events, inferences, to some of which, it must be owned, the king answered but weakly, or in generals, or, according to his custom, by ambiguous expressions, capable of a double meaning.

As to the first charge, he took occasion to make the following protestation, just as he was going to receive the sacrament from the hands of archbishop Usher.

My Lord,

I espy many resolved protestants, who may declare to the world the resolution I do now make. I have, to the utmost of my power, prepared my soul to become a worthy receiver; and may I so receive comfort by the blessed sacrament, as I do intend the establishment of the true reformed protestant religion, as it stood in its beguty, in the happy days of queen Elizabeth,

Protestation
of the king
concerning
religion at
Oxford.
July.
Rushworth,
V. p. 346.

* The son was secured, but the father, upon the first notice of what was doing, got out at Beverley gate, there having been no orders to stop him. Rushworth, tom. 5. p. 276.

P The son was beheaded on Tower-hill, January 1, and the father January 2, 1644, both denying they ever intended to deliver up Hull. Id. p. 749.

CHAR. I. *without any connivance at popery. I bless God, that in the midst of these public distractions, I have still liberty to communicate; and may this sacrament be my damnation, if my heart do not join with my lips in this protestation.*

Remark on this protestation.

Charles I. was undoubtedly very zealous for the protestant religion, as professed in the church of England. But it is no less certain, he never scrupled to favour the papists, either out of complaisance to the queen, or from a belief, that the strict observance of the penal laws made against them, was not necessary to the welfare of the protestant religion. It is therefore very difficult to explain what he meant by these words, *without any connivance at popery*. It cannot be thought that his intention was to swear he would never grant the papists any toleration, since at this very time he was negotiating the Irish cessation, whereby toleration was granted to the catholics of Ireland; and it will hereafter appear, that, in treating of a peace with the rebels, he scrupled not to grant them that article. Much less still may we venture to affirm, that by the word *connivance*, he understood all manner of condescension for the papists. This sense would be repugnant to his principles and usual practice. It seems therefore most reasonable to think, that he made a distinction between popery and papists; and that when he promised to establish religion in its beauty, his meaning was, that he would suffer no popish tenets to be mixt with the doctrines of the church of England. But if this was his meaning, it was not to the purpose, since this was not properly the thing he was charged with. As he was very artful in chusing expressions, to which it was difficult to give a fixed and determinate sense, it is certain, his most solemn protestations produced not the intended effect.

As to the second charge, relating to the Irish rebellion, I do not think I can give a clearer knowledge of the matter, than by inserting the substance of a declaration published on this occasion by both houses, the 25th of July, 1643. They shewed,

The declaration of both houses against the king, concerning the rebellion in Ireland. Id. p. 346.

“ That in the second year of his Majesty’s reign, a declaration was formed in Ireland, to bring in a public toleration of the popish religion in that kingdom, and to suspend all proceedings against papists, for a sum of money to be paid to his majesty. That the then bishops of Ireland made a protestation against it, setting forth, how grievous a sin it was to consent to such a toleration, and of what dangerous consequence it might be. And the
“ house

“house of commons, in a remonstrance made in the third
 “year of his majesty’s reign, informed, that even then the
 “popish religion was professed in every part of that kingdom,
 “and that monasteries and nunneries were then newly
 “erected, and replenished with men and women of several
 “orders, beseeching his majesty, that some speedy course
 “might be taken for redress therein; yet in the beginning
 “of the fourth year of his majesty’s reign, all this was
 “granted and confirmed by his majesty, in consideration of
 “one hundred and twenty thousand pounds, to be levied in
 “three years upon the kingdom in general, as well upon
 “the protestants as upon the papists.

“That many potent and notorious papists had been
 “created peers by his majesty.

“That when, by direction of the lord chancellor Loftus,
 “and the earl of Corke, then lords justices, proceedings
 “were begun against the papists upon the statute of 2 Eli-
 “zabeth, for not coming to church, and the judges in their
 “circuits gave that statute in charge, and indictments were
 “framed thereupon, directions were sent from England, to
 “suspend and stay all proceedings upon that statute, when
 “by taking the penalty imposed by that statute, being nine-
 “pence, for absenting from church, sundays and holidays,
 “the poor protestants there might have been eased of many
 “heavy payments and taxes, which were after imposed upon
 “them.

“That the late earl of Strafford, being the king’s lieute-
 “nant there, did by his great favorite Sir George Ratcliff,
 “one of his majesty’s privy-council of that kingdom, hold
 “correspondency with the popish clergy, and particularly
 “with Paul Harris, a known priest, who had both public
 “and private access to Sir George Ratcliff at all times, as
 “well by night as by day.

“That in March 1639, the earl of Strafford carried with
 “him into Ireland, Sir Toby Matthews, a notorious, per-
 “nicious, English jesuited priest (banished at the beginning
 “of this parliament, upon the importunity of both houses)
 “lodged this priest over-against the castle of Dublin, the
 “house where the earl did himself reside, and from whence
 “this priest daily rode to the public mass-houses in Dublin,
 “and negotiated the engaging of the papists of Ireland in
 “the war against Scotland.

“When the late lord chancellor Loftus and the earl of
 “Corke were lords justices, they endeavoured to suppress
 “the mass-houses in Dublin, and to convert them to pious

CHAR. I. 1643. "uses; one, which was in the street called the Back-lane, they disposed of to the university of Dublin, who placed a rector and scholars in it, and maintained a weekly lecture there: but after the earl of Strafford came to the government, the lecture was put down, the scholars displaced, and the house became a mess-house, as formerly it had been.

"That divers monasteries and nunneries were newly erected, immediately before the rebellion broke forth in divers parts of that kingdom: That at the Naas, where the earl of Strafford had his chief seat and resort, convents of friars, namely, Augustines, Franciscans, Dominicans, were not only permitted, but also an house built there by the said earl, for another purpose (as he pretended) soon after the building was converted to a friery, by the connivance of the said earl.

"That the popish Irish army was kept on foot there for a long time after the beginning of this parliament; to the great furtherance of this rebellion, by teaching those barbarous villains the knowledge of arms, under the notion of fighting against Scotland, but now made use of to extirpate both English and Scots from the kingdom of Ireland.

"And that lead might not be wanting to the compleating of this intended rebellion, the silver mines of that kingdom, which afforded great store of lead, and therefore fit only to be in the hands of protestants of known integrity, were farmed out by his majesty to most pernicious papists, namely, Sir George Hamilton, Sir Basil Brook, and the like; and upon the discovery of the plot for the surprizing of the city and castle of Dublin, divers barrells of musket bullets were found (upon search) in the house of the said Sir George Hamilton in Dublin.

"That the earl of Strafford had, by a violent endeavour, entitled his majesty by office to the whole counties of Roscommon, Mayo, Slego, Galloway, and Clare, and to a great part of the counties of Limerick and Tipperary; by which means a door was opened, not only to increase his majesty's revenue, but therewith to settle a plantation of protestants; and yet when the lords-justices and council of Ireland did by their letters exceedingly importune his majesty that he would not part with those counties, and that the plantation of English protestants might proceed as was formerly intended; his majesty, notwithstanding, did, in the queen's presence, by a clandestine

“define agreement, give away, at a papist’s request, those CHAS. R
 “five whole counties, for a rent of 2000*l.* or thereabouts. 1643!

“That archdeacon Maxwell testifies in his examinations
 “taken in Ireland, that he heard Tirligh Oge O Neale,
 “brother to Sir Phelim O Neale, the arch-rebel of Ulster,
 “confess, that the rebellion was communicated by the po-
 “pish Irish committee to the papists in England, who pro-
 “mised their assistance. And Mac Mahoun, who was to
 “join with the lord Mac Guire, for the surprising the ca-
 “stle of Dublin, being taken and examined, at the rack
 “confessed, that the original of that rebellion was brought
 “to them out of England, by the Irish committee employed
 “to his majesty for redress of grievances.

“That the earl of Castlehaven, a peer of England, and
 “a notorious rebel in Ireland, Mr. Porter who declared
 “himself a papist in Ireland, Sir Basil Brooke, the popish
 “treasurer for the monies raised by the queen’s solicitation
 “for the war against the Scots; Mr. Andrew Brown a
 “lawyer of Lincoln’s inn, heretofore expelled thence for
 “being a known papist, with divers other dangerous Eng-
 “lish papists went out of England into Ireland, the sum-
 “mer before the rebellion broke forth, and were very ac-
 “tive there.

“That the rebels in all parts of Ireland professed, that
 “the cause of their rising was to preserve his majesty and
 “the queen, from being oppressed by the puritan parlia-
 “ment, and that it was by their consent, for they had
 “good warrant in black and white for what they did.
 “They called the English army, parliament-rogues, and
 “traitors to the queen; and told them at the beginning of
 “the rebellion, that e’re long they should see England as
 “much in blood as Ireland then was: That they had their
 “party in England and Scotland, which should keep both
 “kingdoms so busy at home, that they should not send any
 “aid against them, with a multitude of such-like expres-
 “sions from the Irish of the best quality; as may appear
 “by the examinations of colonel Audley Mervin, William
 “Steuart, Esq; Henry Stuart, Gent, herewith printed,
 “and by divers other proofs.

“In the same month of October, wherein the rebellion
 “of Ireland brake forth, the lord Dillon of Costelough
 “(now in arms against the parliament and kingdom of
 “England) went out of Scotland from his majesty into
 “Ireland, bringing his majesty’s letters, obtained by me-
 “diation of the queen, to be presently sworn a privy-

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"counsellor of Ireland; who when he had taken the oath of a privy-counsellor, presents to the lords-justices and council, from many of the inhabitants of the county of Longford, a letter in the nature of a remonstrance, full of unreasonable demands: as namely, to have freedom of religion, a repeal of all laws made to the contrary, and the like.

"In December after the rebellion, the same lord Dillon, together with his brother-in law, the now lord Taaffe, a notorious papist, repaired into England, bringing with them several papers and instructions from many lords and gentlemen of the Pale, all now in rebellion, to negotiate for them to his majesty; and as they solicited with his majesty here on the behalf of the rebels, so do they solicit the rebels from hence in the name of his majesty, to persist in their rebellion, as appears by the testimony of Mr. Jephson, a member of the house of commons, lately delivered at a conference before both houses in these words, viz.

At my late being at Oxford, finding my lord Dillon and the lord Taaffe in favour at court, I acquainted the lord Faulkland, his majesty's secretary, that there were two lords about the king, who, to his majesty's great dishonour, and the great discouragement of his good subjects, did make use of his majesty's name to encourage the rebels: to make this appear, I informed, that I had seen two letters sent by the lord Dillon and the lord Taaffe to the lord of Muskerie, the chief man in rebellion in Munster, and one of the Irish committee sent into England, intimating, that though it did not stand with the convenience of his majesty's affairs to give him public countenance, yet that his majesty was well pleased with what he did, and would in time give him thanks for it; (or near to that purpose.) That these letters were seen by the lord Inchiquine, the chief commander of the English forces in Munster, and by his secretary, who had kept copies of them; and that I was ready to justify as much. Whereupon the lord Faulkland was pleased to say, that they deserved to be hanged. But though I stayed there at Oxford about a week after this discovery made, I never was called to any farther account, nor any prejudice done to these two lords, but they had the same freedom in court as before, for ought I could observe or hear to the contrary.

"That since this discovery made to the lord Faulkland, the same lord Taaffe, one Roche, and William Brent a lawyer, active papists, with letters from his majesty, went from Oxford to Dublin: and upon Thursday be-

"fore

“ fore Whitsuntide 1643, in the evening, taking with them CHAR. I.
 “ one colonel Barry, a profest papist, and pretending for 1643.
 “ Connaught, slipt away to Kilkenny, where the Tues-
 “ day following was a general assembly of all the chief
 “ rebels. When they had done their errand, Barry was
 “ left lieger at Kilkenny among the rebels; the lord
 “ Taaffe returned to Dublin; and upon Friday the 9th of
 “ June 1643, the lord Taaffe, with divers of the privy-
 “ council of Ireland, that favoured the rebels, met at the
 “ marquis of Ormond’s house, where the propositions which
 “ the lord Taaffe brought from the rebels were debated.
 “ The lord Taaffe is since gone into Connaught, Brent is
 “ come back to Oxford to give an account of this employ-
 “ ment.

“ By this every man may construe, what was meant by
 “ his majesty’s not consenting that the parliament should
 “ send a committee into Ireland the last year, to endeavour
 “ the carrying on the war against the rebels, upon pre-
 “ tence that the earl of Leicester was presently to go over
 “ thither, who is yet remaining at Oxford. That when
 “ that committee had prevailed with the lords-justices and
 “ council, and with many of the prime commanders, and
 “ other officers of the army in Leinster, to subscribe by
 “ way of adventure for land in Ireland, to be settled by a
 “ new bill, very considerable sums which were to be de-
 “ ducted out of their respective entertainments; then to
 “ render this endeavour fruitless, one captain Yarnier did
 “ confidently affirm, that those which had or should sub-
 “ scribe, were enemies to the king, a thing so incredible,
 “ that few could believe it, till the same man went to Ox-
 “ ford; and upon his return to Dublin, assured the lord
 “ marquis of Ormond and the officers, that he had dis-
 “ coursed with his majesty about this way of subscription,
 “ and that his majesty did not approve of the same: where-
 “ upon those who had subscribed did withdraw their hands,
 “ and the rest were wholly discouraged.

“ That, about this time, a commission was sent over to
 “ meet with the rebels, and to hear what they could say,
 “ or propound for themselves; which commission was di-
 “ rected to the lord marquis of Ormond, and to some
 “ other commissioners; among whom Thomas Bourke, that
 “ had an hand in contriving this rebellion, was one, and
 “ who brought the said commission into Ireland, and confi-
 “ dently deliver the same at the council-table, to the

CHAR. I. "amazement of all the council then present, that were not
1643. "acquainted with the plot.

"That the lords and commons, to whose direction the
"war was committed, thought it expedient to send into
"Ireland a committee for that purpose, consisting of mem-
"bers of the house of commons, but authorized from both
"houses; who carried with them above twenty thousand
"pounds in ready money, besides great store of powder,
"match, and other ammunition: but when those who
"favoured the rebels, saw, that during the abode of the
"committee there, parties were continually sent forth to
"destroy the enemy; and that the committee engaged
"their own particular credits, to take up monies for the
"relief and setting forth of the army; a letter was sent
"from his majesty, and brought over by the marquis of
"Ormond's own secretary, wherein his majesty did require,
"the lords-justices and council, not to admit the commit-
"tee any more at their debates. And it is observable, that
"this letter was only signed with his majesty's hand, with-
"out any secretary's hand to avow the same.

"The commons cannot conceive what is meant, that
"the justices and council are straitly charged in that letter,
"upon their allegiance, not to suffer the committee to
"sow sedition among his majesty's good subjects; unless to
"stir up and excite the English soldiers in the pay of the
"parliament, to proceed vigorously against the Irish rebels,
"be construed as the sowing of sedition among his majesty's
"good subjects.

"That, according to the testimony of Sir William Bre-
"reton, knight of the shire for the county of Chester,
"there landed, in June 1643, many Irish rebels in Werral
"in Cheshire, some whercof acknowledged, that they had
"washed their hands in the blood of several English and
"Scotch in Ireland, and now hoped to wash their hands
"in the blood of Englishmen in England: the country
"where these rebels first arrived, did all rise with their best
"weapons, and apprehended several of them; but they
"were rescued out of their hands by a troop of horse,
"which came from the commissioners of array, who also
"seized about twenty-eight of the honest countrymen pri-
"soners.

"And that the councils now predominant at Oxford,
"and the supreme council of rebels at Kilkenny, are con-
"furring and aiding one another, as well by sea as by
"land, is apparent by that which follows: the commis-
"sioners

“ sioners authorised to command the king’s forces in the CHAR. I.
 “ west, by an authority derived unto them under the great 1643.
 “ seal of England, do grant commissions or letters of mart,
 “ for the apprehending and taking, for his majesty’s service,
 “ all ships and vessels belonging to the cities and towns
 “ that have declared for the parliament; and on the other
 “ side, the rebels of Ireland grant the like commissions.
 “ And as the ships in his majesty’s service do gratify the re-
 “ bels of Ireland, in seizing the ships that bring provision
 “ for the relief of the English army in Ireland; so the re-
 “ bels of Ireland do in like manner gratify his majesty, by
 “ commanding the ships set forth by them to examine all
 “ English ships at sea, whether they be for the king or par-
 “ liament; and if they be for the king, to let them go; but
 “ if for the parliament, to take and pillage them. All
 “ which is proved by depositions herewith annexed.

“ The earl of Antrim, a notorious rebel, was taken by
 “ the Scots army in Ulster, and imprisoned there, upon su-
 “ spicion of high-treason: to avoid his trial, he broke pri-
 “ son, and fled into the north parts of England, and hath
 “ been with the queen at York a long time; from whence
 “ he was sent to the rebels of Ulster, with secret instruc-
 “ tions, and had ammunition assigned him by the queen’s
 “ directions: and what care was taken of his ammunition
 “ appears by a letter here annexed, dated at York the 8th
 “ of May 1643, written by serjeant-major Rosse, at the
 “ desire of Mr. Jermin.

“ Since this care taken of the ammunition of the earl of
 “ Antrim, the earl of Antrim is taken the second time by
 “ general major Monroe, as he was returning from the
 “ queen, to the rebels of Ulster, with divers letters, in-
 “ structions, and papers: and by the confession and depo-
 “ sition of the earl of Antrim’s own servant, who was taken
 “ with his master, and since condemned and executed, it
 “ is evident, that there was, and doubtless yet is, a design
 “ on foot to reconcile the English and Irish in Ireland;
 “ and that by their joint power having expelled the Scots,
 “ the Irish forces there might be sent against the parliament
 “ of England. The earl of Antrim, the lord of Aboyn,
 “ and the earl of Niddisdale, were three principal agents
 “ employed in this plot. This clearly appears, in that the
 “ lord of Aboyn, in a letter taken in the earl of Antrim’s
 “ pockets, writes in these words:

My

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My Lord,

Being certainly informed by Niddisdale's servant, That there is a new order since we parted, for stopping of the ammunition, I have taken occasion to intreat your lordship by this bearer, that I may know the particulars of it. I must confess it surpriseth me, that any distance should alter so seasonable a conclusion: and certainly, I shall never deserve to be made the instrument of frustrating the hopes of these parts, which should have been enabled by this supply: I am persuaded there is scarce another mean to make our fidelity usefult for her majesty's service.

"And that it might appear to the rebels of Ireland, that the earl of Antrim was accounted his majesty's good subject, and had his majesty's approbation for what he was to act there, he was furnished with a pass from the earl of Newcastle.

The pass is here inserted at length in the declaration. The rest of the article tends to shew by the earl of Antrim's confession, and that of Stuart, one of his servants, that the earl was employed by the queen to make peace with the rebels.

"The house of commons, among a numerous company of proofs of this kind, concluded with the testimony of John Dod, late minister at Annegiliffe in the county of Cavan, who was examined at the bar of the house of commons, and testified,

"That after he had suffered many miseries in this rebellion of Ireland, he repaired into this kingdom, and some occasion carrying him to Oxford, he staid there seven weeks, and came out of Oxford the 13th of June 1643. That during his stay there, he saw a great number of Irish rebels, whom he very well knew to have had a hand in the most barbarous actions of that rebellion; as the dashing of small infants in pieces, the ripping up of women with child, and the like, among whom was one Thomas Brady, who, at Turbet in Ireland, within seven miles where the said Dod lived; as thirty-six old men, women, and children, not able to flee, were passing over a bridge, caused them all to be thrown into the water, where they were all drowned; that this Brady is now at Oxford in great favour, and serjeant-major to colonel Percy's regiment: that he saw there three Franciscan friers, namely; ———— and three jesuits, namely; ———— who were all very earnest for the cause, and daily encouraging the soldiers to fight against the round-heads, and for that purpose have listed themselves in the lord Dillon's troop, and are called cornets: that there are daily and public meetings at masts, in almost every street there; and verily believes in his conscience, that for one sermon preached, there are four masses said now at Oxford:

ford: that he saw Sir John Dungan there, a man accused of high-treason in Ireland, for being in rebellion, and fled into England, who hath a commission for a troop of horse: the lord Barnewall of Trimblestown, and his son, who hath a commission for a troop of horse, and is now gone into Wales to raise them: a son of the lord Newierfield, who hath gotten a commission likewise: that, as near as he can possibly compute, there was then at Oxford above three thousand rebels; and that most of the king's life-guard are Irish.

The two houses concluded in the following manner: "Upon the whole matter, no man can think, that this rebellion in Ireland, so barbarous and bloody, that one hundred and fifty-four thousand protestants, men, women, and children, English and Scotch, were massacred in that kingdom, between the 23d of October, when the rebellion broke forth, and the 1st of March following, by the computation of the priests themselves that were present, and were directed by some chief rebels of Ireland to take this computation, lest they should be reported to be more bloody than in truth there was cause: no man can believe, that this horrid and unparalleled rebellion should be the undertaking of the rebels alone, being set on foot when a parliament was sitting in England, that could not dissolve without its own consent, when all nations professing the Romish religion, were at peace with England, and so engaged at home, that the rebels, in reason, could not expect any considerable assistance from them, nor could think themselves able to encounter England or Scotland either, much less both together: so that to imagine the nobility, gentry, and in a manner the whole kingdom of Ireland, should thus desperately engage their lives and estates in so rash an enterprise, without being encouraged, incited, nay, commanded from England, with assurance both of connivance and assistance too, were to deny them to be reasonable creatures.

"And therefore the house of commons, abundantly satisfied in their own consciences and judgments of the truth thereof, cannot but declare to the world, that by all these concurring circumstances, and convincing proofs, they are persuaded, that this unheard of, and monstrous rebellion of Ireland, was projected, incited, and assisted by those councils now only prevalent with his majesty: that the queen, with her Romish priests, the papists of all his majesty's three kingdoms, have been principal actors and sticklers herein: that, now these bloody rebels

"have

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CHAR. I. "have in a manner rooted out the protestant religion in
 1643. "Ireland, there is a design to pardon them, and bring them
 "into England to do the like: that no earthly power is
 "likely, in human reason, to withstand this damnable
 "plot, but the power of the parliament in England, which
 "is now declared by a late proclamation, to be no free par-
 "liament, to be null, and of none effect; and all possible
 "endeavour used, by strength and stratagem, to destroy the
 "same. So that the house of commons do conceive it im-
 "possible, that so many of those which would be thought
 "the honest and moderate English protestants, should any
 "longer be blinded and led on, to join with German,
 "French, Walloon, English, Scotch, and Irish papists;
 "and thereby to surrender up at once the Protestant reli-
 "gion, the parliament, liberties, and laws of England;
 "into the hands of papists and strangers; that so this re-
 "nowned kingdom may be no more a nation."

As the charge against the king of exciting the Irish rebellion, or at least of conniving at it, made a great noise in those days, and as all the histories are full of it, I thought it necessary to show the grounds or pretences of it, by giving the substance of this declaration. For it is not likely, the parliament should have omitted any thing capable of proving their assertion, though it be true, that the king afterwards took certain steps which could have very much swelled this manifesto. I should be glad, according to my usual method, to give here the king's particular answer to these articles. But I have not been able to find any, or so much as to know, whether he ever returned an answer. Indeed he used his utmost endeavours to clear himself from the accusation; but it was only by generals and protestations, without replying to any particular article, no not even in his *Eikon Basilike*, where he undertakes to vindicate his whole conduct.

I cannot therefore but observe, concerning this declaration, that there are some articles which seem very much aggravated; and others, from whence may be drawn consequences not so odious as those here insinuated. But then it cannot be denied, that there are some, to which it were to be wished, for the king's honour, he had returned distinct and particular answers.

The parliament's policy in accusing the king.

It appears by this manifesto, that the parliament had little regard for the king. But besides the animosity and revenge, which might enter into the design of blackening his reputation, it is certain, policy had no small share in it.

The

The king, in all his public papers, represented himself as CHAR. I. being perfectly innocent of all that was laid to his charge, 1643. and as having undertaken the war only in defence of the laws and liberties of the nation. He described the two houses as a company of robbers, who for their own private ends, had put the kingdom in a flame, refused the obedience due to him, and, without any cause, trampled upon all the known laws of the land. The gratifying the passion of revenge was not the king's sole motive; there was another much more dangerous to the parliament; and that was, to draw the people of London to his side, by means of these papers (which his friends took care to disperse in the city) and thereby to force both houses to conclude such a peace as he desired, that is, a peace which should restore him to all his rights. If therefore the two houses, out of respect to the king, had neglected to defend themselves, their silence might have been very prejudicial to them, since people are apt to believe, if an accusation be not answered, it is because there is no good answer to be given. It was therefore the parliament's business to try, as far as possible, to enlighten the people, whom the king, as they pretended, had a mind to impose upon by general protestations, to which they laboured to show his actions did not correspond. This was the great end of the declaration, wherein they endeavoured to demonstrate the king's insincerity, in that, whilst he called heaven and earth to witness, that he had no other intention than to maintain the protestant religion, 'without conniving at popery,' he was labouring to make a peace with the Irish rebels; a peace, which in the conjuncture of affairs could not be concluded, but by granting things inconsistent with the safety of the protestant religion.

On the other hand, as the king by his papers and emissaries in London, was continually endeavouring to convince the public of the sincerity of his zeal for religion, for the laws and the liberties of the people, without ever mentioning what passed the fifteen first years of his reign, the two houses were concerned to renew the remembrance of those times, lest the occasion of their fears and jealousies should in the end be forgot. And therefore they did two things very proper to produce this effect. The first was, to order king James's book for tolerating sports on Sundays, which Charles I. had caused to be published again in the churches, to be burnt by the common hangman. This book being almost forgot, could not produce any great effects at the time

The parliament orders the book of sports to be burnt.

May 5.
Rushworth,
V. p. 317.

I am

CHAR. I. I am speaking of. But in all appearance, both houses meant
1643. thereby to insinuate to the people, what was to be expected

from the king's great zeal for religion, in case he came to
be restored to his former power. The second was, to proceed to judgment against judge Berkley, whom the lords condemned in the exorbitant fine of twenty thousand pounds; and to stand committed to the Tower till he should be tried upon the other articles alledged against him. For this sentence concerned only that part of his charge relating to his extrajudicial opinions in the case of ship-money. Berkley was one of the king's most zealous instruments to establish an arbitrary power. Nevertheless, he had now lain three years in prison, without being thought of. But this year the parliament believed it proper to bring him to judgment; as well to revive the memory of a time, the king was endeavouring to bury in oblivion, as to reap the benefit of his fine.¹ This last motive makes the lord Clarendon say, that the parliament in appropriating the fine to themselves; which by the laws was due to the king alone, were thought by many to be guilty of a greater crime than that for which Berkley was sentenced. This supposes, that even when the king and parliament were making war upon one another, the parliament should do the king justice, and send him the money arising by fines and confiscations. But the two houses were so far from allowing this maxim, that, on the contrary, the same month they passed an ordinance for seizing the king's, queen's, and prince's revenues for the public use²; that is, to be employed in the war against the king. Four days after, the king on his part published a proclamation, forbidding all tenants or debtors to pay any rents or debts to such persons as were in open rebellion against him. But these orders, as well from the king as the parliament, were executed only in places where they were supported with power.

Judge Berkley's sentence.
Sept. 12.
Rushworth,
V. p. 361.

Clarendon,
T. II. p. 290.

The king's, queen's, and prince's revenues seized.
Sept. 21.
Rushworth,
V. p. 361.

Id. p. 362.

Return of some of the lords who had retired to the king.
The earl of Holland.

Rushworth,
V. p. 367.
Clarendon,
T. II. p. 282.

¹ The half of his fine was abated, and upon payment of the other half, he had his liberty. Clarendon, Tom. II. p. 290.

² Or rather as they word it, "for the good of his majesty, and the commonwealth." See Rushworth, Tom. V. p. 362.

³ The lord Clarendon says, he ex-

pected to be restored to his places of lord-chamberlain and privy-counsellor; of which he had assurance, before he came, from the queen; at least, from Mr. Jermyn, who, no doubt exceeded his commission. This disappointment was the occasion of his return. Clarendon, Tom. II. p. 279.

He was at first put under confinement, but some days after, CHAR. I. had leave to live upon his own estate, without any employ. 1643. Probably he had expected a better reception, since after his return he published a declaration very injurious to the king; wherein he said, that retiring to Oxford, in hopes by his credit to procure a peace, he had been labouring it to the utmost of his power, but (added he) without success, the king and his council being entirely averse to all accommodation, because every thing at court was managed by the papists.^t The earl of Northumberland, who was retired to Petworth, being informed how ill the earl of Holland was received at Oxford, though proper to return to the parliament, where he was received with respect, both houses being willing to suppose, he had never intended to leave them, though many suspected he had withdrawn to his own estate, on purpose to see what reception the other lords would meet with at Oxford. The earls of Bedford and Clare took also the same course, and came off with being debarred for a time from sitting in parliament.^u

One of the principal transactions of the year 1643, was the resolution of both houses to make a new great-seal. It had been proposed by the commons in July: but, whether through scruple, as some pretended, or because the king's secret party were yet very numerous in the house of peers, the lords refused their consent, or rather delayed their answer. But in the November following, their scruples vanished. The commons represented to them in a conference, the mischiefs occasioned by the conveying away, and thro' the want, of the great-seal.^v

I. It was secretly and unlawfully carried away by the lord-keeper, Littleton, who ought not to have departed without leave of both houses. Nor would have been suffered to do so, if his intentions had been discovered.

II.

^t Whitelock says, the earl of Holland being examined by the parliament, said, that "after he heard of the cessation in Ireland, his conscience would not give him leave to stay any longer with him at Oxford." The young earl of Caernarvan came also from Oxford to the parliament, and was committed to the care of his grandfather the earl of Pembroke. Whitelock, p. 77. —The lord Clarendon observes, upon this occasion, that the ill reception of these lords, made the king, and all about him, looked upon as implacable; and so diverted all men from any thoughts

of returning to their duty, and chose rather to stay where they were, than expose themselves by unseasonable and unwelcome addresses. Tom. II. p. 283.

^u It was said in drollery, that these three earls had much confirmed others to continue with the parliament, for they having tried both parties, found it by experience, that this was the best to be in, and adhere to. Whitelock, p. 71.

^v The author having confounded these two reasons for making a new great-seal, they are placed in order in this translation.

CHAR. I. II. It hath been since taken away from him, and put into
 1643. the hands of ill-affected persons, so as the lord-keeper being
 sent to by the parliament for the sealing some writs, answered,
he could not seal the same, because he had not the seal in his keeping.

III. That those who have had the managing thereof, have employed it to the hurt and destruction of the kingdom; as by making new sheriffs, to be as so many commanders of forces against the parliament; by issuing out illegal commissions of array; by sending forth proclamations against both houses of parliament, proclaiming them traitors.

And through the want of the great-seal, 1. The terms have been adjourned, the course of justice obstructed. 2. No original writs can be sued for without going to Oxford, which none that holds with the parliament can do, without peril of life or liberty. 3. Proclamations in parliament cannot issue out for bringing in delinquents impeached of high-treason, or other crimes, under pain of forfeiting their estates. 4. No writs of error can be brought in parliament to reverse erroneous judgments, nor writs of election issued out for choosing new members upon death or removal of any, whereby the number of members is continually lessening. 5. Every other court of justice has a peculiar seal, and the parliament, the supreme court, has no other seal but the great-seal, and so now no seal at all. 6. The great-seal is the *clavis regni*, and therefore ought to be resident with the parliament (the representative of the whole kingdom) whilst it continues sitting; the king, as well as the kingdom, being always legally present in it during its session.

Rushworth,
 V. p. 341.
 Clarendon,
 T. II. p. 312.

The next day the lords declared their consent to the making a new great-seal. Accordingly a great-seal was made exactly like that in the king's hands^x, and, by an ordinance of both houses, it was declared, that all letters patents and grants, which had passed under the great-seal since the 22d of May, 1642^y, were void, and of no effect. That the new great-seal should be of like force, power, and validity, as any great-seal of England had ever been, and be put into the custody of the persons hereby ordained commissioners for that purpose, who should have the same power and authority as any lord-chancellor or lord-keeper had used to have. On the last of November, the new great-seal was carried by the speaker of the commons, attended with the whole house,

^x There was engraven on one side the picture of the house of commons, with the members sitting; and on the other, the arms of England and Ire-

land. Whitelock, p. 70.

^y The day the lord-keeper Littleton left the house, and went with the seal to the king at York.

house, to the lords, and delivered to the lord Grey of Werk^{CHAR. I.} their speaker, who in the presence of both houses gave it to 1643. the commissioners². The first thing sealed with it, was a patent to the earl of Warwick, of lord high-admiral of Eng-^{Clarendon,} land, the earl of Northumberland not being in that favour^{T. II. p. 313.} with both houses as formerly.

The king and his friends made a great noise upon this in-^{Remark on} croachment of the parliament, and urged the statute of the ^{the great-} 25th of Edward III, by which the counterfeiting the great-^{seal.} seal, is in exprefs terms declared to be high treason. But ^{Id. p. 312a} it is easy to perceive, this statute concerned only private persons, and not both houses of parliament, and that it was not possible, when the statute was made, to foresee the king and the parliament would be one day divided. Besides, it cannot be said, that private persons have any right to dispose of the great-seal. But it is not the same with both houses of parliament, who are the representatives of the nation. For the great-seal is not the king's seal in particular, but the kingdom's, and the kingdom is a body composed of the king, who is the head, and the people, who are the members. If the king has the disposal of the great-seal, it is only as he is the most noble of the members of this body, considered as being united with, and not as being separated from, the other members³. If therefore such a separation happens, as was at the time I am speaking of, it is hard to conceive, by what title the king or people, separately, may claim the disposal of the great-seal, which is the seal of their joint, not separate, authority. In short, I doubt, that they who most strenuously affirm, that in such a separation, the king ought to have the sole disposal of the great-seal, are willing to admit all the consequences flowing from that principle. The great-seal stamps an inviolable authority upon all the acts to which it is applied. If therefore, in case of an open war between king and parliament, the king could, by means of the great-seal, communicate such an authority

² Two lords and four commoners, who thereupon took the oaths for the due execution of their places; the speaker of the peers swearing the lords, and Mr. Brown, the clerk of the lords house, the four commoners. The seal was ordered to remain at the said Mr. Brown's house, in an iron chest, with three different locks, and not to be removed thence, but in the presence of three commissioners. The two lords were, first, the earls of Rutland

and Bullingbrook, but the earl of Rutland alledging himself not qualified for such a charge, the earl of Kent was nominated in his room. (Whitelock says, the lords were Manchester and Bullingbrooke, p. 71.) The four commoners were, St. John's; Wilde, Brown, and Prideaux, all lawyers. Rushworth, Tom. V. p. 342.

³ And as the executive power is lodged in his hands.

CHAR. I. to all his particular acts, where would be the bounds of his power, which by the constitution of the government, is limited by the laws? He would need only to declare by proclamation under the great-seal, as Charles had really done, that, according to the laws, the members of parliament are traitors and rebels, and then the point would be decided by the sole possession of the great-seal, and the king might assume an unlimited power by this authority. But how would the case be, if the parliament was in possession of the great-seal, and by the like proclamation should declare the king traitor and rebel; would the application of the seal give such an act an inviolable authority?

It will doubtless be said, that the great-seal gives an inviolable authority to such acts only as are agreeable to the laws, and that the laws expressly declare those who take up arms against the king, guilty of high-treason. But it is manifest, the laws, as they neither could, nor ought to, foresee an actual separation between the king and the people represented in parliament, have considered the king only as the head, inseparably united with the body, and not as the head divided from the other members. Else it might be said, the laws have ascribed to the king an unlimited power, which is directly contrary to the constitution of the English government. Certainly the laws have considered the king but as head of the state, and the crime of taking up arms against him relates, not more to his person in particular, than to the rest of the state. The parliament therefore seems to have had no less right to make new a great-seal, than the king would have had, if the common-seal had been in the hands of the parliament, since the seal was not the property of either, but belonged to both, considered as being inseparably united together.

Count
Harcourt's
embassy.
Clarendon,
T. II. p. 306.
Whitelock.

About this time, count Harcourt, a prince of the house of Lorraine, was sent from France into England. He came directly to London, where he was received with great ceremony as ambassador extraordinary, though he had not presented his credentials to the parliament. But it was supposed, he was not without them, and intended to address himself first to the king. After some days stay in London, without any application to both houses, he went to Oxford, where he had several conferences with the king. After that, he writ to the earl of Northumberland, that having proposed to his majesty from the king of France and the queen-regent, the making of a peace with his subjects, he found him wholly inclined to enter into negotiation, and that

that if both houses would inform him wherein consisted the differences between the king and them, he would gladly use his interest to adjust them. Both houses thought it very strange, that this prince should offer his mediation, without producing his credentials. They told him therefore by the earl of Northumberland, that they received with all due respect, the offers of the king and queen-regent of France, and that as soon as he should show, he was authorized for such a mediation, they would not fail to appoint a committee to treat with him. But he had no credentials for the two houses, the queen-regent not judging proper to own them for a parliament, since the king of England refused them that title. So, this pretended mediation was not only fruitless, but was also a clear indication, that the French court had sent this embassy only as an outward testimony of their concerning themselves in the king's affairs, though, in all appearance, they did not much desire to see an end put to the troubles of the kingdom ^b.

Sir Edward Deering, who had made himself so famous in the beginning of this parliament, by his zeal for his country, and by several noble speeches upon grievances, was grown extremely averse to the proceedings of both houses, since he found, the aim of some of the leading-men was to establish presbyterianism in the church of England. For that cause, after the war was begun, he forsook the parliament, and turned to the king. But, in all appearance, he was no better pleased with the court than he had been with the parliament, since he followed at last the example of the lords abovementioned. He came to London in February 1643-4, and presenting a petition to the house of commons, whereof he was member, he obtained leave to spend the residue of his days at his house near Canterbury, where he died within a few months ^c.

Mr. Pym, one of the pillars of the parliament, and a chief director of the affairs of the house, died December

Q 2

CHAR. I.
1643.
Sir Edward Deering returns to the parliament. Feb. 2. Rushworth, V. p. 383. Ludlow.

Pym's death. Rushworth, the V. p. 376. Clarendon, T. II. p. 353d

^b Whilst count Harcourt was in England, he had two affronts put upon him. 1. He had not been landed four and twenty hours, before Walter Montague, one of his train, was apprehended and committed to the tower. This man was an agent of the king's in the court of France, and thought, by disguising himself, to get a safe passage to Oxford, in the ambassador's retinue. 2. As count Harcourt was going from London to Oxford, his

coach was searched for letters, though he had a safe-conduct. For both which indignities he could get no redress. Clarendon, Tom. II. p. 307, 308.

^c He died June 23, 1634. Besides his former papers, he left behind him a learned discourse (published about a week before his death) concerning the proper sacrifice, wherein he solidly and eloquently confutes popish transubstantiation. Rushworth, Tom. V. p. 384.

CHAR. I. the 8th, 1643. The king's adherents speak of him as of 2
 1643. very wicked man, and those on the side of the parliament
 represent him as the greatest patriot than in England. Opinions so opposite about the same person are not uncommon. It is not strange, that from opposite principles should be drawn contrary consequences. Thus much is certain, Mr. Pym's death was a very great loss to the parliament, he being one of the most able members of the house ^d.

The parliament hangs one of the king's messengers for a spy.

Novem. 27.
 Rushworth,
 V. p. 369.

Id. p. 367.

The commons, as was said, imprisoned in May this year, 1643, a person sent by the king with the offer of peace, and shortly after he was discovered to be one of those employed by the king to keep a correspondence in London. The king could not be ignorant, the commons had twice declared, they would treat as spies such as should come from the king's quarters to London, without a safe-conduct. Besides that he had good correspondents in London and the parliament, he had no occasion to be informed of the particular resolutions, to know it is not allowable for men, without a safe-conduct, to come into the enemies quarters, since it is a maxim received, wherever a war is declared. But there was something in the present case still more particular. For, upon the house arresting this messenger, his majesty, by advice of his council, had deemed it inconsistent with his honour to hold any farther correspondence with the parliament. Moreover, the 18th of October, both houses had published an ordinance, declaring, any person coming to London from the king's quarters should be looked upon as a spy. And yet twelve days after, on the 30th of October, the king sent privately to London, Daniel Kniveton, a state-messenger, with three proclamations, one against *taking of the solemn league and covenant*; another, against *the observation of the monthly fast*, enjoined by the parliament; a third for *removing the seals of the green-wax offices belonging to the Exchequer, King's-bench, and Common-pleas, to Oxford*. This man was taken up, and committed to prison. Nevertheless, the 19th of November following, Carpenter,

^d The lord Clarendon will have it, that he died of the *morbus pediculifus*, or *lousy distemper*, Tom. II. p. 353. And the same is affirmed in Mercurius Rusticus. Whereas, Rushworth says, there was such a report, but the same was not true; and for public satisfaction, his body was viewed by many hundreds of people; the true natural cause of his death seeming to be the great pains he took, joined with a

competent old age, and at best, but an infirm constitution. Whitelock says the same thing, but makes him die in May, p. 69. Some time before his death, he caused to be printed a vindication of himself, which the reader may see in Rushworth, Tom. V. p. 376. He is said to be best versed in parliamentary affairs of any man then in England. See Ludlow, Tom. I. p. 80.

Carpenter, another messenger, was privately sent by the king with an order to the judges to adjourn the term to Oxford*. Carpenter was also apprehended, and they were both tried and condemned to die. Kniveton was the less excusable, as he had before been taken and detained at Windsor for the same reason, and discharged by the general. All the defence he made was, that being the king's sworn messenger, he was obliged to obey him; that besides, not taking London for a garrison, he thought he might have come without drum, trumpet or pass. But this defence not being capable of saving his life, he was executed. Carpenter, though under the same condemnation, was reprieved and committed to Bridewell†. The lord Clarendon speaks of the sentence passed upon these men as of a great injustice, for two reasons; that they were obliged to obey the king, being his messengers; and that the parliament had not caused their ordinance to be notified to the king. I doubt, all will not be induced by these reasons to condemn the proceedings of both houses. The king at least seems not to have blamed them, since he did not use reprisals, neither does it appear that he ever complained of it in form.

In proportion as the war was continued, the animosity between the king and the parliament was inflamed, who no longer regarded each other. The king refused to own the two houses for parliament, and they omitted nothing, as appears in their declaration concerning the Irish rebellion, to blacken the king's reputation. These proceedings were not confined to England, where they might be in some measure necessary, because the point was to gain the people, but care was taken also to convey papers abroad, tending to vindicate one of the parties, and blacken the other. Both houses being informed, or it may be supposing, that the king had emissaries abroad, who were using their utmost endeavours to represent the civil wars in England as a horrible rebellion against the sovereign, ordered the assembly of divines then sitting at Westminster‡, to write letters to the churches

CHAR. L.
1643.

Rushworth,
V. p. 370.
Clarendon,
T. II. p. 314.

The assembly of divines writes to the churches abroad by order of parliament.
Rushworth,
V. p. 371.

Q3

* The king had published several proclamations for the adjournment of the term to Oxford, which had been fruitless, for want of the necessary legal form of having the writs read in court. So Carpenter was to deliver these writs of adjournment into the hands of either of the sworn judges then remaining at Westminster, who were Bacon in the King's-bench, Reeve in the Common-pleas, and Trevor in the Exchequer.

Accordingly, he delivered the writs to Reeve and Trevor, who immediately caused him to be apprehended. Clarendon, Tom. II. p. 313.

† From whence he escaped some time after, and returned to Oxford. Idem, p. 314.

‡ Divers members of both houses, to a great number, sat in this assembly, and had the same liberty with the hundred and twenty divines, to debate and

CHAR. I. churches of Zealand, Holland, France, Switzerland, &c.
 1643. warn them against the artifices of the king's agents, by giving them a clear relation of the affairs of England: They charged them to insist chiefly upon the king's employing Irish rebels, and other papists, to be governors, commanders, and soldiers; to lay before them the proofs of the intention of the king's counsellors to introduce popery, and hinder the reformation designed by the parliament: lastly, to inform them of the disadvantageous opinion of the king's party concerning the protestant churches abroad, because not governed by bishops. The assembly failed not to send to these churches a circular letter, which was properly a manifesto for the parliament against the king, with copies of the solemn league and covenant, and of the declaration of England and Scotland on that subject.

The king's
 manifesto
 touching
 religion.
 May 14.
 Rushworth,
 V. p. 752.

Some time after, the king on his part published a manifesto, addressed to all the protestant churches, to efface the impressions which the parliament's circular letter might have caused. This manifesto, which was very short, contained only a protestation that he had never intended to consent to the public exercise of the catholic religion in his dominions, but was firmly resolved to adhere, to his last breath, to the church of England, wherein he was born, baptized, and educated; and to the liturgy of that church, approved by so many convocations and parliaments, by all the protestant churches, and the synod of Dort.

The king
 troubled
 how to find
 money.

Mean while, the king was very much perplexed how to maintain the war the ensuing campaign, knowing the parliament were preparing to exert themselves powerfully. He had been openly charged, before this parliament, with arbitrarily exacting money of his subjects, without consent of parliament. He had himself owned, he had exceeded his power, since he had not only redressed that grievance, but also protested several times, he had redressed it freely and willingly. Since the war was begun he had never ceased to accuse both houses of the same arbitrary actions, which
 he

and give their votes in any matter. Sellen, who was a member, spoke admirably (says Whitelock, who was also a member, p. 71.) in these debates, and sometimes, when the divines had cited a text to prove their assertion, he would tell them, *Perhaps in your little pocket bibles with gilt letters (which they would often pull out and read) the translation may be thus, but the Greek and Hebrew signifies thus and*

thus, and so confuting them in their own learning. Not but there were many famous divines among them, as Twisse their Prolocutor, Edward Reynolds, afterwards bishop of Norwich, Arrowsmith, Lightfoot, Gataker, &c. Their first meeting, pursuant to the ordinance of both houses, was the 1st of July 1643, in Henry VII's chapel, Rushworth, Tom. V. p. 339.

he himself had been so often upbraided with, in that they imposed taxes upon the subjects without their consent, directly contrary to the known laws whereon he perpetually insisted. By demonstrating that both houses violated the laws, he pretended to gain the people to his side. Mean while, money was necessarily to be raised, not only to maintain the forces already on foot, but also to levy others, in order to resist the Scots, who were upon the point of entering England. If, for the maintenance of these forces, he had imposed taxes by his sole authority, he could not have reproached both houses for the same thing, and perhaps would have disobliterated his own party by acting against the laws. Money, however, was to be found at any rate, otherwise he would not be able to continue the war. Hitherto he had used several ways to raise money, without giving any advantage against him, whether by selling or mortgaging the crown-lands, or by the voluntary contributions of his well-wishers. But the means he had already used were too uncertain to be safely relied on. He sought therefore, and found an expedient to free himself from this strait. He assembled at Oxford all the members that, according to him, had been driven from the parliament; pretending, these members were the true parliament, and the more, as he had publicly declared, he no longer looked upon both houses at Westminster as such. He did not expect this new parliament would increase the number of his friends; but he could reasonably hope it would grant him an aid of money, and that being authorised by such an act, he might openly and by way of authority levy what money was necessary. This happened accordingly, and was properly the king's aim in calling this parliament, which met at Oxford the 22d of January 1643-4.^a

CHAR. I.
1643.

Clarendon,
T. II. p. 337.

Rushworth,
V. p. 559.

Q 4

As

^a The same day the parliament at Westminster, called the houses, and there appeared two hundred and eighty of their members, besides a hundred more in the service of the parliament, in the several counties; and now they expelled by vote forty members, who had deserted the parliament. Whitelock, p. 80. In the house of peers, remained only the earls of Northumberland, Pembroke, Essex, Kent, Lincoln, Rutland, Salisbury, Suffolk, Warwick, Manchester, Mulgrave, Denbigh, Stamford, Bullingbrooke. The lords Say, Dacres, Wharton, Grey of Werk, Willoughby of Par-

ham, Howard of Effrick, Rochfort, and Roberts. Clarendon, Tom. II. p. 340.—The lords at Oxford, in a letter (subscribed by fifty-two of them,) says, There were not above twenty-five peers at Westminster; and the earls of Arundel and Thaxet, the lords Stafford, Stanhope, Coventry, Goring, and Craven, were beyond the seas; and the earls of Chesterfield, Westmoreland, and the lord Montague of Boughton, under restraint at London. They add, the house of peers consisted in all of above an hundred, besides minors and recessant lords, Rushworth, Tom. V. p. 561.

CHAR. I. As it was not proper the king should immediately discover his sole end in calling this extraordinary parliament, he only told them in his first speech, that he had assembled them to receive their advice, and consult with them how to appease the troubles of the kingdom.

Parliament
at Oxford.
Id. p. 560.

This parliament
proposes peace.
Id. p. 556.
Clarendon,
T. II. p. 338.

The first step taken by this parliament, was to try to convince the public of their intention to labour for peace. I have already explained the constant ambiguity of the word peace, and the different senses given it by the two parties, and therefore think it needless to repeat it. There is no question, the king heartily wished for a peace, but it was on condition it should be made after his manner, and in his sense of the word, else he was very averse to it. To be convinced of what I advance, a man needs only consider what the lord Clarendon says, speaking of the motion made in the council to summon the Oxford parliament, which the king scrupled a little. *'The king was at first in some apprehension, says that illustrious historian, that such a confux of persons together of the parliament, who would look to enjoy the privileges of it in their debates, might, instead of doing him service, do many things contrary to it, and exceedingly apprehended, that they would immediately enter upon some treaty of peace, which would have no effect; yet whilst it was in suspense, would hinder his preparation for war, and though no body more desired peace, yet he had no mind that a multitude should be consulted upon the conditions of it: imagining, that things of the greatest importance, as the giving up persons, and other particulars of honour, would not seem to them of moment enough to continue a war in the kingdom.'* Hence appears what sort of peace was desired by the king. It was not such a peace as the Oxford parliament might think reasonable, but a peace whereby he should not be obliged to make any concessions.

Clarendon,
T. II. p. 318.

But his council quickly freed him from these apprehensions, by the same method used on the like occasion in the beginning of the war. It was intimated to him, that there was no probability, the two houses at Westminster would ever treat with the members that should meet at Oxford, because they would not look upon them under any notion, but as private persons and deserters of the parliament. Whereupon the king's scruples vanished. As the Oxford parliament was intirely directed by the king, and as his majesty agreed to the proposing a peace to those at Westminster, it may easily be guessed, that in so doing, his intention was not to conclude it, unless both houses at Westminster would have submitted to his terms. But the two houses

houses at Oxford had another view in this proceeding, **CHAR. I.** namely, to lay a snare for the parliament at Westminster, 1643-4 and engage them, if possible, to treat with them, which would have been owning them for a parliament. However, they expected to reap some advantage from their refusal.

To this end, a letter was sent to the earl of Essex, signed by the prince of Wales, the duke of York, forty-three lords, and a hundred and eighteen members of the house of commons. In this letter it was said, "That his majesty having summoned them to attend him at Oxford, they were assembled in obedience to his commands: that his majesty was pleased to invite them in the proclamation of summons, by graciously saying, *His subjects should see how willing he was, as far as in him lay, to restore the peace of the kingdom*: that this invitation had not only been made good to them, but seconded by such unquestionable demonstrations of his majesty's deep sense of the miseries and calamities of his poor subjects in this unnatural war, and of his most entire and passionate affections to redeem them from that sad and deplorable condition, by all ways possible consistent with his honour, or the future safety of the kingdom: *That as it were impiety to question the sincerity of them, so it were great want of duty and faithfulness in us, (his majesty having vouchsafed to declare that he did call us, to be witnesses of his actions and privy to his intentions) should we not satisfy and witness to all the world the assurance we have of the piety and sincerity of both.*" Adding---That being satisfied of this truth, they had yet hopes to be the happy instruments of their country's redemption from the miseries of war, and restitution to the blessings of peace; and were desirous to believe, that his lordship, howsoever engaged, would co-operate with them in the blessed work, by truly representing to, and industriously promoting with, *those by whom he was trusted*†, their most earnest desire, that some persons be appointed on either part, to treat of such a peace as may yet redeem their country from the brink of destruction."

The earl of Essex returned this short answer, "That the letter he had received, not being addressed to the two houses of parliament, nor any acknowledgment of them being therein, he could not communicate it to them: that the maintenance of the parliament of England, and the privileges thereof, was that for which himself and his whole party were resolved to spend their blood, as being
"the

A letter from the parliament at Oxford to the earl of Essex. Rushworth, V. p. 556. Clarendon, T. II. p. 339.

The earl of Essex's answer. January 30. Rushworth, V. p. 567. Clarendon, II. p. 340.

† Not calling or allowing them to be the parliament.

CHAR. I. "the foundation whereon all the laws and liberties of the nation were built^k."

Though the earl of Essex said, he could not communicate the letter, to the parliament, it was known however, that his answer had been concerted with a committee of both houses, called the committee of state. Wherefore the king, knowing the intention of both houses, believed he should run no great hazard by sending them a message in a letter to the earl of Essex, directed to *the lords and commons of parliament assembled at Westminster*. This message contained the usual offers to treat of a peace, and appoint commissioners, if they would do the like on their part. The

The king's message to both houses at Westminster.

Rushworth,

V. p. 569.

Clarendon,

T. II. p. 244.

Declaration of both houses to the king.

Rushworth,

V. p. 570.

Clarendon,

II. p. 345.

king added, he took this step by the advice of *the lords and commons of parliament assembled at Oxford*. Both houses easily perceived, the king was laying a snare for them, by putting them under a necessity, either of accepting his offer, in which case they should indirectly own the lords and commons assembled at Oxford for a parliament, or of rejecting it, and so furnishing them with a reason to upbraid them for refusing to labour for a peace. But they little regarded this artifice, and for answer declared, they would never own the members who had deserted both houses for a parliament. "And hereupon, added they, we think ourselves bound to let your majesty know, that seeing the continuance of this parliament is settled by a law, (which, as other laws of your kingdoms, your majesty hath sworn to maintain, as we are sworn to our allegiance to your majesty, these obligations being reciprocal) we must in duty, and accordingly are resolved, with our lives and fortunes, to defend and preserve the just rights and full power of this parliament; and do beseech your majesty to be assured, that your majesty's royal and hearty concurrence with us herein, will be the most effectual and ready means of procuring a firm and lasting peace in all your majesty's dominions, and of begetting a perfect understanding between your majesty and your people, without which your majesty's most earnest professions, and our most real intentions concerning the same must necessarily be frustrated."

I have before shown, with what thoughts the king proposed a peace to both houses at Westminster, namely, that this general offer would not be accepted, as was easy to foresee. Upon this refusal it was to both houses at Oxford

exulted,

^k This letter was directed to the parliament, and the declaration of both houses of the king's general. With this letter he sent a copy of the covenant. Rushworth, Tom. V. p. 567.

exulted, as if the bare proposal of a peace had been a clear and evident demonstration of their sincere desire to make a reasonable peace. They published upon this occasion a long declaration, so like those published by the king on the same occasion, that it was not difficult to perceive it flowed from the same fountain. They published, also, some time after, another pretending to show, that the members assembled at Oxford had been forced from the parliament by the threats and outrages of the leading-men. In this declaration were repeated all the outrages and artifices used by the chief of the party, to intimidate such as would not conform to their sentiments, and this, it was pretended, was the sole reason of their being obliged to retire. This was really the king's scheme, but it may be said to be ill grounded. For the members who had deserted the parliament, had not, for the most part, absented themselves, till long after these pretended outrages, some by the king's own express order, others for fear of being punished for endeavouring to raise commotions against the parliament. But care was taken not to mention this in the declaration. After all, supposing some had withdrawn themselves purely out of fear, it is certain, their number came far short of those who retired with the sole view of serving the king. However, they were all confounded in the same class, as having been expressly driven from the parliament.

Some time after, both houses at Westminster published also a manifesto, wherein they pretended to show, that under the specious colour of proposing peace, a snare was laid to engage them tacitly to own that they were not the parliament, but that the true parliament was assembled at Oxford. They drew their proofs from several letters written from Oxford to the earl of Essex, from the expressions in the king's late message, but especially from an intercepted letter from the lord Digby, where he said: "A point which his majesty may not suffer them to gain, without subverting the grounds and maxims of all his late proceedings against them, and that which he now goes upon by the advice of all his nobility here, as you will perceive by this inclosed proclamation¹, upon the effects whereof all the eyes of the kingdom are fixed. God send them to be as good actuated, as they are in speculation, for I am confident, that in reason it carries probability of the surest and readiest way to a re-establishment of his majesty in

CHAR. I.
1643-4.
The Oxford parliament's declaration on a peace.
Rushworth, V. p. 566, 582.
Clarendon, II. p. 347.

The Westminster parliament's upon the same account.
Rushworth, V. p. 576.

Dec. 27.
Id. p. 580.

¹ The proclamation to summon the members to meet at Oxford; Rapin.

CHAR. I. "his just rights and powers, of any course that hath been
1643-4. "yet attempted."

Votes at
Oxford a-
gainst the
Scots.
Jan. 26.
lb. p. 564.

The day before the two houses at Oxford writ to the earl of Essex, to propose a peace, they voted, That the Scots having entered the kingdom in an hostile manner, had thereby denounced war against England, and that all the English who should assist them, should be deemed as traitors and enemies to the state.

p. 565.

March the 12th, the same houses at Oxford voted, "That the lords and commons now remaining at Westminster, are guilty of high-treason, for raising of forces under the command of the earl of Essex, for consenting, and being assisting to the present coming in of the Scots into England, and for counterfeiting the great-seal." But as votes did no hurt to the parliament at Westminster, so neither were they of much advantage to the king. He found a more real benefit from them, with regard to the affair for which the Oxford parliament was summoned, I mean, the aid of money he expected for the support of the war.

Means to
procure the
king money.
Clarendon,
ll. p. 346.

This parliament was however greatly embarrassed, how to give the king an effectual assistance, for that was the principal affair. If, as the only and true parliament, they had laid a general tax, the king would have run the hazard of meeting great opposition in levying the money, all the inhabitants of the counties on his side, not being satisfied that such a parliament had a lawful authority. In that case, he would have been obliged to use force to compel those that should refuse to pay, which did not suit with his present circumstances. Another method was therefore taken, which doubtless was suggested by the court. This was, to advise the king to borrow one hundred thousand pounds of the richest men of his party. To that purpose, the commons went into their respective counties, to take the number of those who were reckoned monied men, and make a list, wherein were set down the quality and ability of each. The commons being returned to Oxford with their lists, the taxes were proportioned; after which, the king writ circular letters to every particular person, to borrow of one, a hundred pounds, of another, two hundred, promising to repay the same as soon as he was able, and not forgetting to say in these letters, that this loan was by advice of his parliament^m. Thus, though this parliament did not think themselves sufficiently

Rushworth,
V. p. 580.

^m These letters were subscribed thus: *houses assembled at Oxford*, EDWARD
By the advice of the members of both LITTLETON, SAMUEL EURE,
Speakers.

ciently authorised to impose a general tax, the particular CHAR. I. persons who were rated, were no less obliged to furnish 1643-4. what was laid on them, since these loans were made with the advice of both houses. The king would have found less advantage in a general tax, for it was much easier to raise a hundred thousand pounds upon particular rich men, than upon the whole nation. Now the point was to procure the king, certainly and speedily the money he wanted. Accordingly it was seen shortly after, that this was the sole motive of chusing that method; for the Oxford parliament hearing, that both houses at Westminster had laid a duty upon wine, beer, ale, and other commodities, which they called an *excise*, a word before unheard of in England^a, made no scruple to injoin the like in the counties where the king's authority was acknowledged.

From that time, nothing remarkable passed in this parliament, which sitting till the 16th of April, was prorogued to October, and never met again. It served only to procure the king money, for which it was solely designed, and to exhibit a spectacle never before seen in England, namely, two parliaments at once, holding their sessions at the same time.

Three days before the opening of this parliament, the Scottish army entered England, notwithstanding the season, which it seemed should have hindered their march^b. The marquis of Newcastle who commanded in the North for the king, hearing that the bad weather prevented not this army's advancing towards the borders, began to march also with his troops, and came to Newcastle the 2d of February^c. The Scotch army approaching the town, the general ordered it to be summoned; but the summons had no effect. He stayed in those parts all the rest of February, waiting for

^a The parliament's ordinance for the excise, bears date July 22, 1643. It was laid upon liquors, grocery-ware, silks, linens, cloths, furs, and almost all other sorts of commodities, imported. That the reader may have a notion of it, it will be proper to mention some of the particulars. Every pound of tobacco, not of the English plantation, was to pay, over and above all customs, 4s. and that of English plantation, 2s. Every tun of wine retailed, 6l. and for private use 3l. Malaga raisins, one farthing per pound. Currants, 1d. Loaf-sugar, 4d. per pound. Cloth of gold and silver 3s.

and tissue 10s. a yard. Damask table-linen, 1s. a yard, &c. It is somewhat strange, that Rushworth has not inserted this curious ordinance in his collections.

^b This army consisted of eighteen thousand foot, three thousand horse, and between five and six hundred dragoons. Alexander Lesley, earl of Leven, was general; John Bailly, lieutenant-general of the foot; and David Lesley, major-general of the horse. Rushworth, *Torn. V. p. 603, 604.*

^c The day before the approach of the Scots. *Idem, p. 613.*

Clarendon, II. p. 347. Rushworth, V. p. 601. T. May.

The parliament at Oxford is prorogued. Rushworth, V. p. 601.

The Scotch army enter England. Jan. 19. Rushworth, V. p. 602.

Feb. 3. Ib. p. 613.

CHAR. I. for his artillery, which was coming by sea. The 28th of 1643-4. the same month he passed the Tyne at some distance from Newcastle[†], having left on the north-side of the town, six
p. 614. regiments of foot and some horse, to keep the garrison in
p. 615. awe. The marquis being too weak to venture a battle, contented himself with harrassing the Scots by frequent skirmishes, in order to retard their march; but at last he thought proper to retire to Durham, where the Scotch general followed him, though with great inconveniency, as he wanted forage for his horse.

The lord Fairfax defeats colonel Bellasis at Selby.

April 11. Rushworth, V. p. 613. Clarendon, II. p. 348.

When the marquis of Newcastle marched out of York to oppose the Scots, he left the command of the city with a good body of troops to colonel John Bellasis[†]. As soon as the lord Fairfax was informed, that the marquis had taken the northern rout, he resolved to march towards York, and to that end, ordered his son Sir Thomas Fairfax to meet him at a certain place, with the party he commanded, that they might act in conjunction. But Bellasis having notice of this design, departed from York with most of the garrison to hinder their junction, and posted himself at Selby. A few days after, the lord Fairfax, having taken a great circuit, to deceive the vigilance of the enemy, and joining his son, suddenly attacked Selby with about four thousand men, where Bellasis lay with fifteen hundred horse, and eighteen hundred foot, forced the town, took the colonel prisoner, with sixteen hundred of his men, and killed a great number.

The marquis of Newcastle returns to York. Rushworth, V. p. 619.

The marquis of Newcastle heard this sad news at Durham, the Scots being then within two miles of the place. He immediately feared, that the lord Fairfax, after his victory, would attack York, or at least, march directly towards Durham, to put him between the two armies. For this reason, he suddenly resolved to retire to York, as well to secure himself as that city, which otherwise would have been in great danger.

1644. p. 620. Ludlow. T. I. p. 173.

It soon appeared that the marquis had taken this resolution very seasonably, for, the 20th of April, that is, nine days after the Selby-fight[‡], the lord Fairfax joined the Scots at Tadcaster, whence the two generals resolved to go and besiege York. But as that city was too large to be invested on all sides by the two armies, particularly towards the river, over which the marquis had made a bridge
of

[†] At the three several fords of Ovingham, Bydwell, and Altringham.

idem. p. 614.

[‡] Son to the lord Falconbridge.

^{*} Rapin is mistaken here in the time, but the error is corrected in the translation. Rushworth, Tom. V. p. 628, 620.

of boats¹, they desired the earl of Manchester, general of CHAR. I. the forces of the eastern associated counties, to advance to 1644. this siege. Till the arrival of the earl of Manchester, the two generals held the city blocked up to the southward of the river Ouse. I shall interrupt for a moment, the account of the siege of York, to speak of the ill success of the parliament's arms at Newark.

Whilst the marquis of Newcastle was in the North ob- Meldrum is serving the Scotch army, the lord Willoughby of Parham, defeated at and Sir John Meldrum, with above five thousand men of Newark by the parliament's forces, besieged Newark, a considerable town prince in Nottinghamshire, where the king had placed a garrison. March 22. As soon as the king knew it, he sent orders to prince Rupert. Rushworth, V. p. 307. Clarendon, II. p. 358. Common's war. being then at Chester, put himself immediately upon the march, and being joined by other troops, made a body of seven thousand men, with which he advanced towards Newark. Meldrum, who commanded alone at the siege, the lord Willoughby being gone elsewhere, resolved to fight the prince, and to that purpose drew up his forces at a little distance from the town. The 21st of March there was a sharp conflict, particularly at a bridge, by which Meldrum had resolved to retreat in case of need. The bridge was vigorously attacked, and as bravely defended. Mean while, after the fight was over, Meldrum finding himself too weak to renew it the next day, resolved to retreat over the bridge in the night. But he found the guard he had left there had deserted, and the bridge in the possession of the enemies². So, not being able to retreat, and perceiving himself surrounded with the king's forces, Meldrum sent a trumpet to the prince for a parley. It was agreed, that the foot should march away with their swords, colours, and drums; all the officers with their arms, horses, and baggage; and the troopers and dragoons, with their swords, horses, and colours. But he was forced

¹ The case was this: The marquis having a great strength of horse, and the advantage of a bridge over the river, could easily transport them to either side in a short time: so that if the besiegers divided their forces, the river being betwixt them, he might fall on the weaker, and the rest would not be able to relieve them. The river Ouse runs north and south quite through the city, divided into two parts, which are joined by a stone-bridge. Idem, p. 620.

² Rapin has confounded here two bridges. The bridge that was attacked was a bridge of boats, over which Meldrum's horse were drawn by his order into the island. This bridge prince Rupert endeavoured to recover, but was repulsed. The other was Muscove-bridge, over which he designed to retreat, but the guard deserting broke it down. Idem, p. 307.

CHAR. I. forced to deliver all his ordnance and ammunition with
1644. about three thousand muskets.

Other exploits of prince Rupert.
Rushworth, V. p. 617, 623.
Dagdale's Baron. T. II. May 25.
May 25. The prince, after this expedition, which gained him great honour, returned into Shropshire, and from thence into Lancashire, to relieve the countess of Derby, who for the space of eighteen weeks was besieged in Latham-house, and made a gallant defence against a body of two thousand men ^w. In his way to Latham, the prince took by storm Stopworth, a small town in Cheshire. Whilst he was advancing towards Latham, the besiegers raised the siege, and part of them under the command of colonel Rigby, went and reinforced the garrison of Bolton in Lancashire, which was in great danger. The prince pursued them, and without giving them time to come to themselves, took the town by storm ^x.

June 11.
Rushworth, V. p. 624.
He is ordered by the king to relieve York. Clarendon, II. p. 390, 396.
After that, he attacked Liverpool, a sea-port town on the edge of Cheshire, where those who pass into Ireland generally imbarck. The governor, colonel More, after some resistance, conveyed on board the ships in the Pool most part of his soldiers ^y, and the richest goods in the town, and then the prince entered with little opposition. Here he received a letter from the king, ordering him to march with all speed to the relief of York, which was now besieged. The king said to him in his letter, '*That his affairs were in so very ill a state, that it would not be enough, though his bigness raised the siege of York, if he had not likewise beaten the Scotch army;*' which words induced the prince to fight a battle that proved very fatal to the king.

Exploits of the earl of Manchester.
Rushworth, V. p. 621.
Id. p. 283, 620.
I left York blocked up by the English and Scotch armies, commanded by the lord Fairfax and the earl of Leven, till the earl of Manchester should join them. The earl of Manchester was general of the seven eastern associated counties, who had raised an army of fourteen thousand horse, foot, and dragoons. With this army the earl of Manchester had already done the parliament great service. In the last campaign he had taken the town of Lynn, and in the beginning of this, had possessed himself of Lincoln. As several of the leading members of parliament thought of putting him in the

^w In a fally, May 6, the besieged flew near three hundred of the besiegers. Mercur. Rustic.

^x Rushworth says, the prince's soldiers (consisting of ten thousand, or upwards) rushed into the town, and put great numbers to the sword, (twelve hundred by their own confession) destroying for some miles round, and

spoiling all they met, denying quarters, (as the townsmen alledged afterwards) and used other violences, besides totally plundering the town, and slaying four ministers. Colonel Rigby escaped to Bradford. Rushworth, tom. 5. p. 623.

^y With his best ordnance, arms, and ammunition. Idem, p. 624.

the earl of Essex's place, occasion was taken from the services he had performed, to make a constant provision for his army. To that end, by an ordinance of both houses, May the 15th, 1644, each of the seven associated counties were charged and rated at a weekly sum for the maintenance of his army^a; after which, he received orders to join the two other armies, to besiege York together. The parliament had also taken care for the subsistence of the earl of Essex's^a and Sir William Waller's armies; so that in May they had five armies on foot, besides the troops dispersed in several counties, and in garrison.

CHAR. I.
1644.

P. 621.

The parliament has five armies. Rushworth, V. p. 653.

Before the marquis of Newcastle was blocked up in York, he had sent general Goring with four thousand horse, to ravage the parts in subjection to the parliament. Wherefore, the earl of Manchester detached likewise three thousand horse, which were joined by two thousand, sent from the Scots before York, to wait the motions of Goring. The earl of Manchester therefore joined the two armies only with his foot, and some few horse^b, and presently after the junction, the siege of York was begun. The marquis of Newcastle had sent the king word, that he hoped to hold out six weeks or two months, and besought him to think in the mean time how to relieve him. To retard, as much as possible, the progress of the siege, he made overtures for a treaty, but on such conditions as he knew would not be granted. Nevertheless he gained seven or eight days by this artifice, so that the cessation he had obtained, did not expire till the 15th of June. On the 24th he sallied out, and furiously attacked the earl of Manchester, but, after a sharp conflict, was repulsed with loss.

The earl of Manchester joins Fairfax and the Scots. Clarendon, II. p. 396. Ludlow.

Siege of York. June 3. The marquis amuses the besiegers. Rushworth, V. p. 624, 625, &c. Clarendon, II. p. 369. p. 631.

On Sunday the 30th of June the besiegers had certain notice, that prince Rupert was advancing at the head of an army, of near twenty thousand men, which had greatly in-

Prince Rupert approaches York.

created Rushworth, V. p. 631. Clarendon, II. p. 388.

^a On Essex, the weekly sum of 1687*l.* 10*s.* on Suffolk, 1875*l.* on Norfolk, and the city of Norwich, 1875*l.* on Hertfordshire, 675*l.* on Cambridgeshire, 562*l.* 10*s.* on Huntingdonshire, 330*l.* on Lincolnshire, 1218*l.* 15*s.* on the Isle of Ely, 221*l.* 5*s.* Rapin, by mistake, calls it a monthly sum. Idem. p. 621.

^a His army, by ordinance, was to consist of seven regiments of foot, each of a thousand soldiers, divided into eight companies; and the general's own regiment of fifteen hundred, di-

vided into twelve companies; and of six regiments of horse, each of five hundred and fifty troopers, divided into six troops. Whitel. p. 85. Rushworth, tom. 5. p. 653. The maintaining of this army cost, in the year 1644, above a million of money; and the charge of the navy had been, 240,000*l.* the year past. Dugdale's View, p. 123.

^b With about six hundred foot, a hundred horse, and twelve field-pieces. Rushworth, tom. 5. p. 622.

CHAR. I. creased in their march, as well by the troops drawn from several garrisons, as by Goring's horse, who had joined them, 1644.

The siege
is raised.
July 1.
Ludlow.
Warwick.

The prince
comes to
York.

Treats the
marquis
haughtily;
resolves to
fight.

Life of the
Duke of
Newcastle,
p. 46.
Rushworth,
V. p. 632.

so that the army was not inferior to the three armies employed in the siege. The three generals, after a short consultation, thought it adviseable to raise the siege, and join their armies, whether, as some affirm, with design to give battle, or to avoid it, as others pretend. Be this as it will, they posted themselves on Marston-moor, about five miles from York. But though indeed prince Rupert must have passed that way to come at them with his army, they left however two sides of York open, that provisions and ammunition, and even troops, by small parties, might be conveyed in. If the prince's design had been only to relieve York, he had already effected it, and had only to remain in his post, and keep the enemies at a bay, till all necessaries had been sent into the city. But that same day, coming to York with a guard of two hundred horse, he conferred with the marquis of Newcastle, or rather signified to him, that he intended to fight, according to his majesty's express orders. As the prince was extremely haughty, he made not the least compliment to the marquis, upon the authority he assumed in resolving to give battle, contrary to the marquis's opinion, who maintained, it was by no means requisite in the present juncture, and the rather, as he expected five thousand men, who were coming from the north to his assistance. Moreover, the prince made no scruple to command, without saying any thing to the marquis, the forces in York to be ready to join him the next morning in order to engage. And yet, these forces had been levied by the marquis, and commanded by him with great reputation. Besides, the marquis's birth and merit seemed to require a greater regard from the prince. Perhaps it never came into the marquis's thoughts to desire a sight of the king's express order, or else he believed it to be an affront to the prince, to show the least doubt of such an order. However this be, he told him, he was ready to obey his highness in all things, who might dispose of his troops as he pleased, and for his own part, he would be contented to charge in the battle as volunteer. His dissatisfaction was farther increased, when having asked the prince, what service he would be pleased to command him, the prince answered him, he would begin no action upon the enemy till early the

* Ludlow observes, That if the prince could have been contented with relieving York, and retreated, as he might have done, without fighting, the reputation

he had gained, would have caused his army to increase like the rolling of a snow-ball. Tom. I. p. 123.

the next morning, and desired him to repose himself till CHAR. I. then. Thus the prince had the sole management of the intended battle, without consulting the marquis any more. 1644. Though he had ordered his forces in York to come and join his army, it does not appear that he had assigned any command or post to the marquis of Newcastle, perhaps, because he said, he would be in the battle as a volunteer. It cannot be denied, this behaviour was very severe to a lord, who had always shown for the king a zeal and affection not to be surpassed, nor perhaps equalled.

In the night, the three parliament generals having considered that the place was relieved, and thinking prince Rupert had no farther design than to lay in provisions, resolved to march to Tadcaster, Cawood, and Selby, as well to preserve the East-riding, as to hinder the furnishing of York with provisions from thence. Accordingly they began their march early in the morning, the Scots leading the van. But about nine o'clock they had intelligence, that the prince was approaching with his army, and indeed he was advanced with five thousand horse, near their rear. Whereupon they were obliged to draw up speedily, and call back their van, which made all possible haste to rejoin them. Fortunately for them, the foot which the prince had drawn out of York, could not come up with his army till noon, and this gave the Scots time to rejoin the rest of their army, which they had left in the morning. The armies were both drawn up about two in the afternoon: but there was between them a deep and large ditch, which neither cared to pass, for fear of giving the enemy too great an advantage. For this reason, they stood looking upon one another above two hours, each expecting the other to begin the charge.

Prince Rupert himself headed the left wing^d, consisting of five thousand horse. The right wing was commanded by Sir Charles Lucas, with colonel Hurry, and the main body by general Goring. It does not appear, that the marquis of Newcastle had any command in the action. The parliament's right wing, opposite to prince Rupert, was led

R 2

by

^d Rushworth says, the prince led the right wing, and Sir Charles Lucas the left; and that the earl of Manchester and Cromwell commanded the left of the enemy. The king's forces consisted of fourteen thousand foot, nine thousand horse, and about twenty-five pieces of ordnance. The parliament's army did not exceed that number. Oliver Cromwell was hard pressed by

the prince's horse, and wounded above the shoulders, but at length he broke through. Rushworth, tom. 5. p. 633, 634. The lord Holles affirms that Oliver behaved in this battle in a very cowardly manner; and that those who did then most service, were the major-generals Llesley and Crawford, and Sir Thomas Fairfax. Mem. p. 15.

The parliament generals retire. July 2. Id. p. 632. —634—

The prince forces them to engage.

Battle of Marston-moor. July 2. Rushworth, V. p. 632. —635—

CHAR. I. by Sir Thomas Fairfax, the left by the earl of Manchester, assisted by his lieutenant-general Oliver Cromwell. In the

1644.

Clarendon,
II. p. 388.
Ludlow.
Manley.

center towards the right was the lord Fairfax, and general Leven towards the left. At last, between six and seven in the evening, the parliament generals gave the signal, and marched to the enemies. I shall not undertake to describe this battle, because, in all the accounts I have seen, I meet with so little order and clearness, that I cannot expect to give a satisfactory idea of it to such of my readers as understand these matters. I shall content myself with relating one remarkable circumstance, besides the success in general. The left wing of the king's army, commanded by prince Rupert, was entirely routed by the parliament's right wing, whilst the king's right wing had the same advantage over the left of the parliament. The two victorious wings, after chasing their enemies, returned to the field of battle, and, I know not by what accident, met face to face, so that each stood on the same ground that the enemy possessed at the beginning

The prince's
army is
routed.

of the battle. Here the fight was renewed, and maintained on both sides with great warmth and vigour, till at last night approaching, the king's horse were put to flight, and pursued as long as day would permit. It was probably at this time that the prince's foot were also routed. I say, probably, because in the description of this battle, it does not appear what the foot did. But this is not the only time that we are left in the dark, when we read in histories the descriptions of battles. They are generally made by persons who have not the least tincture of the art of war, and who by dwelling upon some frivolous circumstances, pass over those that might give the intelligent reader clear ideas. It suffices therefore to say, that the prince's army was pursued within a mile of York, where they retired in the night. The countrymen who were commanded to bury the dead, gave out that they interred four thousand one hundred and fifty bodies. It was reported that three thousand of the prince's men were killed. But the conquerors affirmed, they lost not above three hundred *.

Rushworth,
V. p. 635.

Though

* Sir Charles Lucas, major-general Porter, major-general Tilyard, and the lord Goring's son, were among the prisoners. There were about a hundred other officers taken, and fifteen hundred soldiers, twenty-five pieces of ordnance, a hundred and thirty barrels of powder, several thousands of

arms, and about a hundred colours. Whitelock, p. 94. Others say, there were about four thousand taken prisoners, and as many slain on the king's party; the whole of both armies amounted to near nine thousand men. Commons War, p. 50. Among the colours were prince Rupert's standard,

Though prince Rupert had always been victorious where CHAR. I. he had commanded in chief, it is not very surprising that he 1644. should once be defeated; this is a misfortune incident to the greatest generals. But his resolution to retire the next day Id. p. 636. with his army, must needs appear very strange. His horse 637. had not suffered much, because they had taken to flight be- Clarendon, II. p. 389. times, at least those of the left wing, commanded by himself, and his foot were also in good condition, the greatest storm having fallen on the marquis of Newcastle's. He might therefore have defended York, and waited the king's orders upon this fatal accident. So, this extraordinary resolution can scarce be imputed but to an excessive shame and indignation, which hindered him from considering how prejudicial it would be to the king his uncle's affairs. He sent the marquis of Newcastle notice of his design, just as the marquis was sending him word, that he was instantly going to quit the kingdom. They both put their resolutions in practice. The marquis repaired that very day to Scarborough, and embarked for Hamburg^f, and the prince left York, and marched towards Chester with the remains of his army. It is easy to guess why the marquis of Newcastle quitted the king's service, after having been so unworthily treated by prince Rupert. He believed doubtless, he could not with honour resume his former command, having been deemed incapable to serve the king on so important an occasion. Nay, very probably, he imagined the prince would not have behaved to him in so haughty and rude a manner, if he had not thought he should be avowed. Nevertheless, the prince could afterwards produce in his vindication only the king's letter above-mentioned, which he understood in a sense the king himself had never thought of^g. It may therefore be affirmed, that his committing so many errors one after another, was entirely owing to his excessive haughtiness.

R 3

The

ard, with the arms of the Palatinate, and a red cross in the middle; a yellow coronet, in the middle a lion couchant, and behind him a mastiff, seeming to snatch at him, and in a label from his mouth written, Kimbolton; at his feet little beagles, and before their mouths written, Pym, Pym, Pym; and out of the lion's mouth these words proceeded — *Quousque tandem abutere patientia nostra?* Rushworth, tom. 5. p. 635.

^f With him went his two sons, Charles viscount Mansfield, and Henry

lord Cavendish; his brother Sir Charles Cavendish; Dr. Bramhal bishop of London; the lord Falconbridge; the lord Withington; the earl of Eltham; the lord Cotenwarch; and Sir William Carnaby. On the 8th of July they arrived at Hamburg. The marquis came no more to England till after the restoration of Charles II. *Idem*, p. 637.

^g This letter was produced only to his friends, and after the king's death Clarendon, tom. 2. p. 390.

CHAR. I. The parliament generals improved their victory, and the
1644. diffention of their enemies. They returned to their posts

The taking
of York.

July 15.

Rushworth,

V. p. 637.

Clarendon,

II. p. 390.

The three

armies se-

parate.

Rushworth,

V. p. 641.

The Scots

take New-

castle.

Id. p. 645.

Extraordi-

nary prepa-

rations of

the parlia-

ment for the

campaign of

1644.

Marsh 24,

30.

Rushworth,

V. p. 653.

before York, which was left to the discretion of Sir Thomas Glemham the governor, who seeing himself unable long to resist, surrendered that important place upon honourable terms. They were no sooner in possession of York, but the three armies separated. The lord Fairfax with his forces remained at York, as governor. The earl of Manchester marched towards Lincoln, not to be remote, without necessity, from the associated counties, whose troops he commanded. The earl of Leven, with the Scotch army, marched northward to join the earl of Calendar, who was advancing with a strong reinforcement from Scotland. When these forces were joined, he laid siege to Newcastle, which surrendered at discretion about the end of October ^b. Thus the battle of Marston-moor lost the king all the north, which hitherto had given the parliament forces a powerful diversion. But this was not all the mischief the king had to fear. There was danger of the three victorious armies joining in the heart of the kingdom those of the earl of Essex and Sir William Waller, and of their taking at once all the places which were still in his power. This was the more to be feared, as when he heard of the defeat of his army at Marston-moor, he was himself marching to the relief of the west, where the earl of Essex then was with an army, which the king's forces in those parts were not able to withstand. This is what I must now explain, and withal speak of what passed at Oxford, whilst the northern armies were in action.

The parliament seem, by their extraordinary preparations in the beginning of the year 1644, to have intended to put a speedy conclusion to the war. Besides the armies of the lord Fairfax and Scotland, and that of the earl of Manchester, which was paid by the eastern counties, a new regulation was made the latter end of March, for the maintenance of seven thousand five hundred foot, and three thousand horse, to be commanded by the earl of Essex. At the same time, by another ordinance, the four southern associated counties, namely, Kent, Suffex, Surry, and Hampshire, were to maintain an army of three thousand six hundred foot, twelve hundred horse, and five hundred dragoons, under the command of Sir William Waller. These were not
new

^b It was taken by storm, October 19. Rushworth, tom. 5. p. 650.—The earl

of Manchester took also Sheffield castle, and some other places. Idem, p. 642.

new armies, they subsisted before the regulation; but the point was to recruit them, compleat the number fixed by the parliament, and settle the necessary weekly payment of their subsistence¹.

Though Sir William Waller was worsted at the battle of Roundway-down, the two houses, far from losing their esteem for him, resolved to send him into the west, with an army capable of withstanding prince Maurice, who found no farther opposition in those parts. The king having notice of this design, resolved not only to hinder Waller's march into the west, but also to break the association of the four southern counties, where he had many friends, and even hoped to procure an association of these counties in his favour. To that purpose, he gave the lord Hopton² an army consisting of troops drawn out of several garrisons, and of two regiments of foot lately arrived at Bristol from Ireland³. As soon as these forces were assembled, the lord Hopton posted himself at Winchester, where Sir John Berkeley brought him two regiments newly raised by him in Devonshire, and the king sent him a detachment of a thousand men commanded by Sir Jacob Ashley. All these forces together made an army of four thousand foot, and fifteen hundred horse⁴, with which he resolved to march into Sussex. Waller, who was then quartered about Farnham, assembled his troops and faced the enemy: but after some slight skirmishes, he retired into Farnham castle, from whence he took a journey to London, to represent to the parliament his want of supplies, without which it would not be possible to perform what had been enjoined him.

Immediately after Waller's departure for London, the lord Hopton marched with part of his army to attack Arundel castle, which was surrendered upon terms. But hearing a few days after, that Waller was returned to Farnham with a strong reinforcement, he rejoined the rest of his army.

R 4

Waller's

¹ For the maintenance of this army, and a suitable train of artillery, with other incident charges, there was to be monthly raised and paid out of the excise, the sum of thirty thousand, five hundred and four pounds. And, besides the money arising from the forfeited estates in Hampshire and Sussex, the weekly sum of 2638*l.* was to be levied in the four associated counties for Waller's army. Rushworth, tom. 5. p. 653.

² Sir Ralph Hopton was created lord Hopton of Stratton, September 4, 1643, at Oxford; though, by mistake, Rapin still calls him chevalier Hopton.

³ Under the command of Sir Charles Yvaseor, and Sir John Pawlet, Clarendon, tom. 2. p. 361.

⁴ Rushworth says, that he and the earl of Forth had drawn together an army of thirteen or fourteen thousand men. Tom. 5. p. 654.

CHAR. I.
1644:

Resolution -
to send Waller into the west.

The king tries to prevent it.

He sends Hopton to the southward. Clarendon, II. p. 361. 362. Rushworth, V. p. 654.

Clarendon, ibid. and p. 363.

Hopton takes Arundel castle

CHAR. I. Waller's journey to London answered his expectations.
1644. Besides a brigade of Londoners under major-general Brown,

he procured an order of parliament to the earl of Essex, to send him from his army a thousand horse under the command of Sir William Balfour. He was no sooner returned to Farnham with these supplies, but he marched all night, and at break of day beat up one of the lord Hopton's quarters at Alton, and carried away prisoners colonel Boles's regiment of foot ^a; a troop or two of horse, which were in the same quarters, having betimes taken to flight. Then he marched directly to Arundel castle, and made the garrison prisoners. Here the learned Chillingworth was taken, and died within a few days.

Battle of
Alresford,
wherein the
lord Hopton
is defeated.
March 29.
Rustworth,
V. p. 654.
Clarendon,
II. p. 366,
367.

The king hearing of the supplies given to Waller, sent a reinforcement to the lord Hopton. The earl of Forth, the king's general ^o, would go himself, but refused the command which the lord Hopton offered to resign to him. The lord Hopton having then an army of about eight thousand men, resolved to give Waller battle, and begun his march with that intent, at the very time Waller was advancing towards him with the same resolution. The two armies met between Farnham and Winchester on Cheriton-down near Alresford, where the battle was fought the 29th of March. The lord Hopton was defeated and forced to retire to Reading, and afterwards to Oxford ^p. Waller marched to Winchester, and became master of the city, but did not think proper to besiege the castle, which was his own inheritance, because he had elsewhere more important affairs, as will be seen presently. The lord Clarendon pretends, the loss sustained by Waller at Alresford hindered him from improving his advantage, and marching into the west, as he had resolved. But it may be affirmed, this was not the thing that prevented his taking the western rout. It was rather owing to the parliament's resolution, by whom he was recalled to London, after having dismissed the auxiliary regiments of that city, and Kent, which were also come to join him.

Id. p. 367.

Resolution
to besiege
Oxford.

Both houses perceiving, that by the king's late loss at Alresford, his army was discouraged and considerably lessened; that moreover, they had sufficient forces in the north to

^a The colonel had retired with his men into the church, but had not time to barricade the doors. So, the enemy entering with him, his soldiers threw down their arms, and asked quarter, which was also offered to the colonel, who refusing it, was killed. Clarendon, Tom. II. p. 365.

^o Lately made earl of Brentford.

^p In this battle, on the king's side fell the lord John Stewart, brother to the duke of Richmond, and Sir John Smith a papist, brother to the lord Carrington. Clarendon, Tom. II. p. 367.

to have nothing to fear from the marquis of Newcastle, who was shut up in York, resolved to besiege Oxford, where the king was with his army. So, having relinquished, or suspended the design of sending Waller into the west, they laboured with all possible diligence, to put the two armies of Essex and Waller upon the foot settled by their ordinance, that they might act together against Oxford.

CHAR. I.
1644.

The king had ever imagined, that Waller's design was to march towards the western parts. For which reason he had assembled his forces at Marlborough, and afterwards posted himself at Newbury, where he had remained some time, till he could better discover the designs of his enemies.

But having at length found, the parliament had altered their measures, he came to Reading, and caused the fortifications to be demolished, in order to strengthen his army with the garrison, consisting of two thousand five hundred men. He also ordered prince Rupert to come and join him: but afterwards permitted him to relieve Latham house, where the countess of Derby was besieged. With the Reading garrison, his army was increased to eight thousand five hundred foot, and four thousand horse. But being still ignorant of the designs of his enemies, he thought proper to retire to Oxford with his whole army.

Mean while, the parliament, who had for some time found means to take their resolutions with more secrecy than formerly, perceiving the two armies of Essex and Waller ready to march, sent to each a supply of four thousand two hundred of the trained-bands of London. So, the earl of Essex's army consisted of twelve thousand foot, and three thousand horse; and Waller's of seven thousand foot, and fifteen hundred horse and dragoons. These two generals had orders to march separately, and besiege Oxford, if the king remained there; but if he went from thence, the earl of Essex was ordered to follow him with his army, and Waller to march into the west, according to the first project. They departed from London, the 14th and 15th of May, to put themselves at the head of their respective armies, and immediately marched towards Oxford.

The king had posted almost all his infantry at Abington, in order to stop the enemies, and have time to consider what measures he should take, in case they really intended to besiege Oxford, which he still questioned. As Abington could not be easily defended but on the east-side, and he was unwilling to run any unnecessary hazard, he had ordered general Wilmot to make a vigorous defence, if attacked on that

May 14.
Rushworth.
V. p. 667.
Clarendon,
II. p. 379.
373.
The earl of
Essex and
Waller
march to-
wards Ox-
ford.
Clarendon,
II. p. 373.
Rushworth,
V. p. 667.
668.
p. 668, 670.

that V. p. 670.

CHAR. I. that side, but if on the west from Wantage and Farrington, 1644.

Clarendon,
II. p. 376.

clear and full, or for some other reason, Wilmot, at the enemies approach on the east-side immediately retired to Oxford, and the earl of Essex instantly entered Abington. The king perceiving the siege of Oxford was resolved, had but one way to hinder it, which was to defend the passes of the rivers Isis and Cherwell, which run on the west and east-sides of the city, and to that end he quartered his horse near the Isis, and his foot towards the Cherwell. As the motions of the parliament armies entirely proceed from the situation of Oxford and the adjacent country; and as, without this knowledge, scarce any thing would be intelligible, I shall pass over the particulars which to me seem not absolutely necessary, and content myself with saying, that Waller found means at last to gain the pass at Newbridge over the Isis, which enabled him to fall upon the rear of the king's foot that were defending the Cherwell¹. Whereupon the king drew all his forces into Oxford and to the north of the city, with thoughts at the same time of providing for the safety of his person, not judging it proper to suffer himself to be shut up. There was no time to lose, for the king's troops were hardly retired, when the earl of Essex passed the Cherwell at Gosworth bridge with his army. So the king giving orders to his horse, and a small body of foot, to wait for him at such a place, left Oxford the 3d of June about nine o'clock at night, and safely passed between the two parliament armies². He was out of all danger of pursuit before the news of his retreat reached the enemies, and came at length, on June 6, to Worcester, after having endured a great fatigue.

Clarendon,
T. II. p. 376.
Rushworth,
V. p. 671.
The king
withdraws
from Oxford
with his
horse.
June 3.
Clarendon,
T. II. p. 377.
Rushworth,
V. p. 671.

The two ge-
nerals relin-
quish the de-
sign of be-
sieging Ox-
ford.

The two generals were extremely surprized, when they heard the king had escaped them. But it was too late to hope to overtake him. Mean while, the city of Oxford being well stored with provisions and ammunition, and the king having left there almost all his foot, they did not think fit to besiege it, and the rather, as they had no orders to do it, unless the king remained there. The parliament's intention was, that in case the king quitted Oxford, the earl

of

¹ The lord Clarendon says, he might have brought over all his army, and fallen upon the king's rear; not, that he did. Tom. II. p. 376.

² He went that night to Mr. Parret's at Northlye, where next morning he drew up his army, and went that after-

noon to Burton on the water, where he lodged at Dr. Temple's the prince's chaplain. On the 5th he marched to Evelham, and on Thursday the 6th to the city of Worcester. Rushworth, Tom. V. p. 671.

of Essex should follow him with his army; and Waller with his take care of the affairs of the west. But the earl of Essex, for some unknown reason, reversed his order, and would himself march into the west. And when Waller urged the parliament's orders, the earl of Essex positively commanded him, as his general, to obey, to which the other could make no reply. So, the earl immediately began his march to the west. The parliament were very much offended with the earl of Essex's disobedience, and sent him an order, which reached him at Salisbury, to return, follow the king, and leave to Waller the western expedition. But the earl, instead of complying, sent a letter to the committee of war^a, with the reasons of his conduct, subscribing his letter, "Your innocent, though suspected servant, "Essex." Whether both houses were satisfied with the earl's reasons, or believe it proper not to incense him in such a juncture, they suffered him to pursue his march, which he did in a slow and easy manner, till he came into Devonshire.

CHAR. I.
1644.

The earl marches into the west, contrary to the parliament's orders.
Clarendon, T.II. p. 378.
Rushworth, V. p. 672.
Id. p. 683.
Clarendon, T.II. p. 379.

The queen had been ever since April at Exeter, the capital of that county, where she was delivered of the princess Henrietta, about a fortnight or three weeks before the earl of Essex's approach. As soon as she heard of his entering Devonshire, she sent and desired a safe-conduct to retire to Bristol¹. The earl of Essex answered, if her majesty would please to go to London, he would have the honour to wait upon her thither; but could not give her a safe-conduct to Bristol, without the express order of both houses. Whereupon the queen withdrew into Cornwall, and some time after into France, with a convoy of men of war, sent her by the prince of Orange.

The queen retires into France.
Rushworth, V. p. 665,
—684.
Clarendon, T.II. p. 369,
394.

July 14.

Prince Maurice had been, since the 20th of April, before the little town of Lyme, which made a more obstinate defence than was expected. This place, and Plymouth, were almost the only towns in the west that were for the parliament. It was therefore very necessary for the parliament, to have in those parts, forces capable of reviving the courage of their friends, who had received no assistance since prince Maurice's arrival. At the earl of Essex's approach, who was now advanced to Dorchester, the prince raised the siege of Lyme, and retired to Exeter. The same day, the earl of Essex possessed himself of Dorchester. Then, he detached

Prince Maurice raises the siege of Lyme, and retires to Exeter.
June 15.
Rushworth, V. p. 665,
677—682.

^a There was a committee of both kingdoms residing at London, for the carrying on the war. There was usually a committee of the parliament in the

armies likewise.

¹ She desired at first a safe conduct, to go to Bath for her health. Rushworth, Tom. V. p. 684.

CHAR. I. tached Sir William Balfour, who took Weymouth, whither the earl of Essex instantly repaired. He had some thoughts

1644. of besieging Exeter, and indeed marched that way; but considering that prince Maurice was there with his whole army, he was afraid of losing too much time in the siege, and stopped at Chard, where he remained some time, and from thence marched to Tiverton. Whereupon, prince Maurice sent a detachment from Exeter, with orders to secure Barnstable; but the inhabitants shut the gates against them, and immediately sent to the earl of Essex, to come and take possession of the town, which was done accordingly by the lord Roberts. Here was taken captain Howard, who having been formerly lieutenant to captain Pym, had deserted, with nineteen troopers, to the king's party; for which being now tried by a council of war, he was condemned and executed. Upon this, prince Maurice caused to be hanged Turpin, a sea-captain, taken prisoner in attempting to relieve Exeter, when the earl of Stamford was besieged in it. He being indicted for levying arms against the king, was by the judges, Heath, Foster, Banks, and serjeant Glanvil, condemned, but hitherto reprieved, by reason of the consequences. The parliament was very much incensed at this reprisal, considering the difference between a prisoner of war, and deserter. Wherefore having serjeant Glanvil in their custody, who had lately quitted the king's party, and returned to London, they ordered him to be impeached of high-treason. Soon after, the king's party caused fourteen clothiers to be hanged at Woodhouse in Wiltshire, and the parliament ordered eight Irishmen to be executed, who had been taken prisoners in some action. These are the sad effects of civil wars. These executions gave occasion to the parliament, in August following, to erect a court-martial, to which were given very severe instructions, chiefly with respect to deserters. About the middle of July, Taunton-Dean was taken for the parliament, by a party of the garrison of Lyme.

Essex's progress in the west.
p. 683, 684.
Charendon,
T. II. p. 382,
383.

Captain
Howard
hanged for
desertion.
Rushworth,
V. p. 685.
Captain
Turpin
hanged in
revenge.

Id. p. 685.
Ludlow.
Rushworth,
V. p. 686.
Id. p. 685.

I am obliged for a time, to break off the narrative of the affairs of the west, to relate what the king did after his escape from Oxford.

The king's
march after
his flight
from Oxford.
Id. p. 672.

He arrived the 6th of June at Worcester with his little army; but staid there only a few days, hearing Waller was marching

One of the clothiers breaking his halter, desired, that what he had suffered might be accepted, or else, that he might fight against any two for his life. But he was hanged up again.

Ludlow, Tom. I. p. 220.

They were led on by Sir Robert Pye, and colonel Blake. Rushworth, Tom. V. p. 685.

marching that way. When he quitted Worcester, he made several marches and counter-marches *, to deceive the vigilance of his enemy, not being strong enough to venture to expect him. At last, having made a shew of marching towards Shrewsbury, Waller doubted not but his design was to join prince Rupert, who was still in those parts. For this was before the battle of Marston-moor. He thought it therefore very important to march before, and post himself between the king and Shrewsbury, in order to hinder his joining with the prince. The king was very glad to have deceived Waller. As soon as he knew Waller expected him upon that rout, he feigned to take it indeed, but suddenly turning about, instead of continuing his march towards Shrewsbury, took the road to Oxford, and left Waller in his post, without any possibility of overtaking him. When he came near Oxford, he was joined by the rest of his army, which he had left there when he quitted that city. Then, no longer fearing Waller, since he was stronger than he, he went and quartered in Buckinghamshire, without any other design than to give the enemy battle, if there was occasion.

CHAR. I.
1644.
Waller follows him.
p. 674.
675, 686.
Clarendon, T. II. p. 370.
— 381.
383.

Waller having been thus circumvented, approached the king however, and at length the two armies were in sight, with the river Cherwell between them. Waller drew up on a very advantageous ground, imagining the king would pass the river to attack him, and thereby furnish him with an opportunity to fight with advantage. But the king, to draw him from his post, feigned to march northward, and accordingly advanced into Northamptonshire, leaving a strong guard at Cropedy-bridge, to hinder the enemies from passing and following him in the rear. Whilst he was marching, he had intelligence, there was a body of three hundred horse going to join Waller, within two miles of the van of his army, and was told they might be easily cut off, if the army moved faster. Whereupon orders were sent to the van, and main body, to advance faster. As soon as Waller perceived there was a great distance between the king's rear, and the rest of his army, he detached a thousand horse, to pass the river at a ford, a mile below, and himself, with fifteen hundred horse, one thousand foot, and eleven pieces of cannon, attacked Cropedy-bridge, took it, and passed his troops. Which done, he fell upon the king's rear,

The fight at Cropedy-bridge.
June 29.
Rushworth, V. p. 676.
Clarendon, T. II. p. 384.
Whitelock.

* June 22, he marched from Worcester to Bewdley; the 15th, he advanced along the Severn towards Bridgenorth, but returned the same

day to Worcester; the 16th, he marched through Evesham to Broadway; and the next day came to Burford. Idem, p. 674, 675.

CHAR. I. rear, but was repulsed, with loss of many of his men and 1644. part of his cannon. This is all that can be gathered with

any clearness, from the accounts of this battle ⁷. The detachment, which, I said, passed the ford, had much the same success. Waller being thus repulsed, and forced to repass the river, drew up his men on a hill, and there waited the king's motions. As it was yet but three in the after-

Clarendon,
T. II. p. 386.

noon, the king, believing the enemies were discouraged with their ill success, ordered Cropedy-bridge and the ford to be attacked by two great detachments. The first was repulsed at the bridge, with great loss on the king's side. The other gained the ford; but all that could be done, was to maintain it, expecting in vain, till night, that the first detachment would recover the bridge. Night coming on, both sides retired, Waller remaining master of the two passes.

Ibid.

The king was so prepossessed with the notion, that the enemies army was entirely discouraged, that he resolved to send them an offer of pardon by a herald, imagining it would be immediately accepted, and Waller deserted. In this belief, he sent a trumpeter to Waller, to desire a safe-conduct for a gentleman to deliver a gracious message from his majesty. Waller answered, he had no power to receive any message without permission from the parliament, to whom his majesty was to make application. The two armies faced each other for the space of two days, standing in the same posture, after which they both drew off, each taking a different rout ⁸. In all appearance, Waller after this loss, did not think himself in condition to go any more in quest of the king, who was superior to him in number. As it was about this time, that the report of prince Rupert's defeat at Marston-moor was spread, Waller thought, doubtless, there was no great necessity to hazard a second battle, since the king would probably be very much distressed. When he knew afterwards, the king was marching towards the west, he gave himself still less trouble about what the king might attempt, since it belonged to the earl of Essex to get off as he could. There was not a sufficient union between them, for Waller to be much concerned at what might happen to the earl. Perhaps too, his not being able

Rushworth,
V. p. 687.

⁷ On the king's side were slain Sir William Boteler, and Sir William Clark, two Kentish knights; and the lord Wilmot was wounded. Rushworth, Tom. V. p. 676. Whitelock says, colonel Middleton being dismounted, the royalists taking him to be one of their commanders, mounted him

to again, wishing him to make haste and kill a round-head, by which means he escaped. Mem. p. 93.

⁸ Rushworth and Whitelock both say the king drew off first, and then Waller marched over Cropedy-bridge. Rapin follows the lord Clarendon's account.

to follow the king, who was marching against the earl of CHAR. L. Essex, was the reason why he dismissed the regiments of the London auxiliaries, which, added to his loss at Cropedy, disabled him to act till he had fresh troops. 1644.

The king, who in the beginning of this campaign was in a sad strait, found himself, a month after, much at ease. Of the two armies by which he had been attacked, one was unable to hurt him, and the other was gone into the west, where he himself was very strong: In the first place, he was master of all the fortified towns, Plymouth excepted. Secondly, he had at Bristol a large garrison, part whereof might be drawn out upon occasion. In the third place, almost all the gentry of the western counties were well affected to him. There were only the meaner sort of people, who were divided between him and the parliament, but who however were always ready to join with the strongest. Lastly, prince Maurice had at Exeter, and in the neighbourhood, four thousand men, which could be easily brought to him by the north of Devonshire, and the earl of Essex not be able to prevent it. All these considerations determined him to march westward, to give the earl of Essex battle, if an opportunity offered. He had scarce begun his march, when he received the ill news of what passed at York, which confirmed him in his resolution. He perceived, that if he remained in the middle of the kingdom, where he had few friends or fortified towns, the three parliament armies, which were now separated, would not fail to rejoin, and then he should be too weak to withstand them.

As soon as the king had taken this resolution, he informed prince Maurice of it, that he might be ready to join him, and by the same express sent orders to the lord Hopton, to draw what men he could out of Wales and lead them to Bristol, that he might meet him on the way with those troops, and as many more as could possibly be spared from that garrison. So, the king making easy marches, in order to give the Welsh troops time to join him, came the 15th of July to Bath, from whence, after two days, he departed, and at length arrived at Exeter. When all the forces, he had sent for, had joined him, he saw himself at the head of an army much more numerous than the earl of Essex's.

Five days after the fight at Cropedy-bridge, the king being at Evesham, caused to be drawn up a message for peace to both houses, a copy whereof was sent to the earl of Essex by the marquis of Hertford, to be communicated to the parliament, it being intimated that the French agent had the

The king marches towards the west. Clarendon, T. II. p. 387.

Rushworth, V. p. 683.

The king's message to both houses for peace not answered. July 4. Rushworth, V. p. 687.

CHAR. I. soon as the army should enter that county, the people would
 1644. all declare for the parliament, that then it would be impos-
 sible for the king to come there, and the army might easily
 subsist, and be re-inforced with a great number of troops.
 Upon this assurance, which afterwards proved very false,
 the lord Roberts, rather by a sort of violence, than the
 strength of his reasons, caused it to be resolved, that the
 army should march into Cornwall.

The king
 follows him.
 Clarendon,
 T. II. p. 396.
 Rushworth,
 V. p. 697.
 Whitelock.

Pursuant to this resolution, the earl of Essex entered that
 county the 26th of July, after forcing the passage at New-
 bridge, which was bravely defended by Sir Richard Green-
 vil. The same day the king came to Exeter^c, and after a
 general muster of his army, followed the earl of Essex, who
 did not find in Cornwall what the lord Roberts had made
 him expect. He advanced however to Lancelston, and from
 thence to Bodmin, where he writ to the parliament, that
 he did not doubt, that the king's design was to straiten him
 for provisions, and therefore earnestly desired, that an army
 might be sent into the west to lie upon the king's rear, and
 hinder him from executing his project. But as Sir William
 Waller was not ready to march, being then in London so-
 liciting supplies for his army, all that could be done was to
 detach colonel Middleton with two thousand five hundred
 horse and dragoons^d, with orders to march westwards.

The king's
 letter to the
 earl of Essex.
 August 6.
 Rushworth,
 V. p. 691.
 Clarendon,
 T. II. p. 399,
 400, 401.
 Whitelock.

The king seeing the earl of Essex intangled in a country
 where he wanted provisions for the subsistence of his army,
 thought it a fair opportunity to try to gain him. Where-
 fore he sent him a letter under his own hand, persuading
 him to free himself from his present straits, by restoring
 peace to the kingdom, that is, by declaring for such a peace
 as the king desired. The earl of Essex returned no answer to
 this letter, prince Maurice, and the earl of Forth lately made
 earl of Brentford, the king's general, writ to him two days
 after; and the next day he received another letter on the
 same subject, signed by the lord Hopton and many general
 officers of the king's army, at last he returned a brief
 answer to the earl of Brentford, that he had no commission
 to treat.

About

don says, he was a man of an impetu-
 ous disposition, full of contradiction in
 his temper, and of parts so much supe-
 rior to any in the company, that he
 could too well maintain and justify all
 those contradictions, Tom. II. p. 395.
 Ludlow adds, he persuaded the earl to
 march into Cornwall, that he might
 have an opportunity to collect his rents

in those parts, Tom. I. p. 126.

^c Where he found his young daugh-
 ter under the care of the lady Dalkeith.
 Clarendon, Tom. 2. p. 396.

^d Whitelock says, That he was sent
 with three thousand horse, and four
 thousand were ordered to be sent speedily
 after him, p. 98.

About this time the lord Wilmot, lieutenant-general of CHAR. I. the king's horse, was arrested and sent prisoner to Exeter by 1644. his majesty's order, he having taken the liberty to send the earl of Essex word, that if he would enter into treaty, the officers of the king's army were so desirous of peace, they would constrain his majesty to conclude it upon reasonable terms. Wilmot's disgrace bred some murmurs amongst the officers of horse, by whom he was very much beloved. Nay, they presented a petition to the king, to pray him to let them know what crime that lord was accused of. The king, in such a juncture, was very ready to give them this satisfaction. Nevertheless the lord Wilmot was deprived of his post, which was given to the lord Goring; after which, he had leave to retire beyond sea. It was generally believed in the army, that Wilmot's disgrace was owing to some intrigue of the court, and the king's private hatred of him on account of the part he had acted against the earl of Strafford.

Wilmot arrested by the king. Clarendon, T. II. p. 383. 396, 397, 398. August 18. Rushworth, V. p. 693.

Clarendon, T. II. p. 396.

The earl of Essex perceived too late the vanity of the lord Roberts's promises. So far were the people of Cornwall from rising in his favour, that on the contrary they ran in crowds to join the king's army. The earl could have provisions but by sea, and in small quantities, by means of a river which afforded him a communication with Plymouth. At last, Sir Richard Greenvil having brought the king a supply of troops, it was resolved in a council of war, to make use of the superiority of the number, not to compel the earl of Essex to fight, but to cut off his provisions entirely. This was happily effected, by means of a fort run up on the bank of the river, by which the enemies received their provisions. Thus the earl of Essex being reduced to the last extremity, after having kept his post almost a month, resolved to abandon his army, to avoid falling into the king's hands. But before he executed that design, he ordered Sir William Balfour to endeavour to save the horse, which he

The earl of Essex is in great straits. Id. p. 400, 401. Rushworth, V. p. 699, &c.

He saves his horse, quits the army, and retires to Plymouth.

S 2

* The lord Goring was just come from prince Rupert, with letters to the king, requesting that Goring might be made general of the horse in his room. So that Rapin is mistaken, in saying, he had Wilmot's post given him. For his majesty, the day after his arresting him, told the officers of horse, he had justly restrained Wilmot for the present, but had not taken away from him his command in the army. However, Wilmot, when he saw his mortal enemy Goring put in the

command over him, thought himself incapable of reparation, or full vindication, so desired leave to retire into France, and had a pass sent him for that purpose. It seems, the earl of Breatford being grown old, the king designed to make prince Rupert general. Clarendon, T. II. p. 398.

† The king lay about Lestard, and Essex at Lestwithial, from whence the river runs to Foy, of which place Essex was master.

CHAR. I. performed very fortunately in a dark misty night, by passing
1644. unobserved through the king's quarters ^g. As soon as the

earl of Essex knew the horse were out of danger, he sent to
Clarendon, the king and demanded a parley, but before the answer was
T. II. p. 404.
Rushworth, returned, took ship with some officers and retired to Ply-
V. p. 699.
mouth, leaving major-general Skippon to procure the best
Septemb. 1. terms he could for the foot.
Ibid.

The king having granted the parley desired by the earl of Essex before his departure, a conference was held between some officers of both armies, where the following articles were agreed on ^h.

Rushworth, I. That on the morrow, being the 2d of September, all
V. p. 705. the officers and soldiers under the command of the earl of Essex, shall deliver up all their cannons and train of artillery, with all carriages, necessaries and materials thereunto belonging; and likewise all arms offensive and defensive, with all ammunition whatsoever, except only the swords and pistols of all officers above the degree of corporals.

II. That immediately after, all officers and soldiers shall march out of their quarters to Leftwithiel with their colours, trumpets, and drums; and that all officers above the degree of serjeants, shall take with them such horses and servants, as properly belong to them, with all their bag and baggage, and waggons with their teams.

III. That they shall have a safe convoy of one hundred horse, from their quarters, to Leftwithiel, and thence in their march to Pool and Warham.

IV.

^g Others say, that they broke thro' the king's quarters. Ludlow, Tom. 1. p. 127. Manley, p. 74.

^h Whitelock, who pretends to give an impartial relation of this affair, says, That the earl of Essex did not send to parley, but that after he was gone, some came by design to the parliament forces, intimating, that the king was willing to admit of a treaty with them, which was great wisdom and gallantry in the king, chusing rather to defeat them with their own consents, than hazard the doubtful trial of a battle. Upon this, Skippon calls his officers together to a council of war, and declares, he was for fighting his way thro' the enemy, as the horse had done. But few of the council did concur with him, so the above-mentioned articles were agreed upon. Some of the sol-

diers, as they were marching forth, being pillaged by the king's soldiers, Skippon rode up to the king, who stood to see them pass by, and told him, "It was against his honour and justice, that the soldiers should be pillaged, contrary to the articles, and desired his majesty to give orders to restrain them," which the king did. There were delivered up forty pieces of brass ordnance, two hundred barrels of powder, and nine thousand arms for horse and foot. See, says Whitelock, the uncertain issues of war! A few weeks before, Essex and Waller, with two great armies, were in pursuit of the king, who could scarce find a way to avoid them; and now the parliament's army is defeated, disarmed, and dispersed, and the king becomes victorious. Whitelock, p. 102.

IV. That in case they shall march from Pool to any other place by land, that they shall not bear arms any more than is allowed in the agreement, until they come to Southampton or Portsmouth. CHAR. I. 1644.

V. That all the sick and wounded should be left at Foy, till such time as they can be conveniently transported to Plymouth.

VI. That all the officers and soldiers shall be permitted to receive all moneys, provisions, and other accommodations, as they should be able to procure from Plymouth; to which end they shall have a pass for any twelve persons, whom they shall send for the same.

VII. That there shall be no inviting of any soldiers, but that such as will voluntarily come to his majesty's service, shall not be hindered.

By the treaty, the king properly gained only artillery, arms and ammunition. But though it was something to reduce this army to such a condition, it would have been of much more advantage to him, had he made the officers and soldiers prisoners of war. For the parliament wanted neither artillery, nor arms, nor ammunition, to repair their army, which indeed was able within five or six weeks, to give the king battle. It is to be presumed, the king had good reasons to be satisfied with this little advantage.

Though the earl of Essex might have been justly upbraided for the two errors he had committed, in obstinately pursuing his march into the west, contrary to the orders of both houses, and in preposterously going into Cornwall, he was not insulted for his misfortunes, but at his return was very civilly received. It was then no proper time to examine his conduct. The point was to recruit and arm the ruined army, as well as that of Waller, and accordingly both houses applied themselves to it with all possible diligence. They ordered also colonel Middleton to repair speedily to the earl of Essex's army, and the earl of Manchester to march the same way with his forces. The earl is well received at London. Clarendon, T. II. p. 405.

After the king had gained so considerable an advantage, he hoped the frightened parliament would desire nothing more than to come to an agreement. He plainly perceived, that such a peace as he desired was impracticable, as long as the parliament was prosperous. But he flattered himself with the hopes, that after so great a misfortune, his enemies would gladly accept his offers, and insist no longer upon terms he was fully resolved not to grant. In this belief he sent from Tavistock a fresh message to both houses, with The king's message to both houses, with the offer of peace. Sept. 2. Rushworth, V. p. 722.

CHAR. I. offers of peace, and annexed to it a duplicate of his former message from Evesham. The message was so worded, that he seemed out of pure moderation to offer, after his victory, to be content with having, by a peace, what he was in condition to obtain by force of arms. But if notice be taken of what I before said, to explain what is to be understood by the peace offered by the king, it will be found, that through an excess of modesty, moderation, and affection for his people, he would be satisfied to obtain by a treaty, what hitherto he had not been able to procure by arms: for that was the real meaning of his offer, though disguised under the specious name of peace. The parliament must have understood it in that sense, since it was not regarded. The king himself, doubtless, did not believe, he could deceive the two houses by the bare name of peace, after having so often experienced how much they were upon their guard in that respect. But these frequent offers of peace were properly designed to make impression upon the people, who did not discover their true meaning.

The king attacks Plymouth without success. Ibid. Clarendon, T. II. p. 412.

The 10th of September the king appeared before Plymouth¹, in hopes, that after his late victory, the gates would be opened to him. But having summoned it in vain, and even made some assaults, he was forced to retire, the season not permitting him to undertake so important a siege, which, probably, would have employed him several months. Besides, his design was to march to London, where he supposed all were in the utmost consternation. Mean while, general Goring, with a detachment of the army, became master of Barnstable.

The arrival of the elector Palatine at London. Rushworth, V. P. 723.

I have had frequent occasion to speak of the affairs of the elector Palatine, and to observe, how much James I. and Charles I. neglected the interests, the one of the king his son-in-law, and the other of the elector his nephew. All the elector's dominions being in the hands of his enemies, he fled for refuge to the king his uncle, who gave him a pension for his subsistence. This pension, it is likely, was ill paid since the king was engaged in the war with Scotland, and still worse, since the beginning of this parliament. So the elector having attended the king till he retired into the North, and seeing the war ready to kindle, abruptly quitted the king his uncle at York. He retired into Holland, and staid there till August 1644, when he suddenly came

¹ Where the lord Roberts, who went thither with the earl of Essex, was made governor, to whom the lord

Digby writ, to persuade him to surrender the town to the king. Rushworth, Tom. V. p. 723.

came to London to reside there, under the protection of the parliament. The king hearing of it, writ to him, to know the reason of so extraordinary a proceeding. It does not appear what answer the elector returned; but probably, not knowing how to subsist, and considering the king his uncle was not able to maintain him, he believed he should find more assistance in the parliament, which had ever expressed a great affection and zeal for his house. He was not deceived in his expectations, for the parliament granted him an honourable pension, which was more regularly paid than the former from the king^k. He afterwards desired and obtained leave to hear the debates in the assembly of divines. Probably, as he did not care to be concerned in military affairs, he sought to spend his time in conversing with the learned, and improving himself in matters of religion.

CHAR. I.
1644.

The king
writes to
him.

Id. p. 714.

October 24.

The king was so strongly possessed with the belief, that his victory could not but make a strong impression upon the minds of the people, that he resolved to march directly to London. He did not question, but his army would considerably increase by the way, and the people forsake the two houses, when they should see him marching towards the metropolis. It is true, such turns had been formerly seen in England, but very seldom or never in favour of princes, whom the nation believed to have cause to complain of. However, though Charles had given but too much occasion to complain of his government, yet was he persuaded, he was beloved by the people, and imputed whatever they did against him, to the artifices, calumnies, promises, threats, and violences, that were used to mislead or compel them. In this belief, he imagined the people wanted only an opportunity to free themselves from the yoke of the parliament, and that the present one being very favourable, was not to be neglected. He published therefore the 30th of September, a proclamation, dated at Chard, wherein he set forth, with what earnestness and sincerity he had always desired and offered peace, which had been constantly rejected by both houses, after which he said, "That he had therefore resolved with his army, to draw presently towards Lon-

The king
resolves to
march to
London.

S 4

"don

^k He had, before his coming, sent two letters to the parliament, declaring in the first, his satisfaction in the covenant, wishing them success; and in the other, the great straits he and his mother were in, for want of the stipend they formerly had, bemoaning the courses his brother prince Rupert took, in fighting against the parliament.

Upon his landing at Gravesend, a committee of the commons attended him, and in May 1645, the commons ordered him an allowance of 8000*l.* a year, 2000*l.* whereof out of the king's revenue, and the rest out of the estates of the lord Cottington, and Sir Nicholas Cripe, Whitelock, p. 85, 101, 145.

CHAR. I. 1644. "don, and his southern and eastern counties, not looking upon these parts as enemies to him, but as his poor subjects, oppressed by power, (*of which he was assured the greater part remained loyal to him*) and so deserving his protection; hoping that, at a nearer distance of place, there might be begot so right an understanding between him and his people, that at length he might obtain a treaty for peace, and a full and free convention in parliament, and therein make an end of these unhappy differences, by a good accommodation; whereby his people might be settled in the possession of their rights and liberties. And therefore he required his subjects within his own quarters, through, or near which he should pass, forthwith to prepare themselves with the best arms they could get, to be ready to join him. He authorised likewise as well the trained-bands of London, as his subjects of the eastern and southern counties, to chuse their own commanders among those gentlemen and citizens, that were of approved loyalty, and lovers of peace, requiring them at his approach, to put themselves in arms, and assist in this expedition, and commanding them to seize such places of strength, as the rebels were possessed of, and to apprehend the persons of all such as should hinder the settling the peace of the kingdom."

Id. p. 717.

All the effect this proclamation produced, was, that the inhabitants of Somersetshire, where the king then was, presented a petition to him, humbly beseeching his majesty, "That they might have liberty to wait upon him in person, and, at a nearer distance of place, become petitioners to both houses, to embrace his majesty's offers of peace; and in case of refusal, they promised to spend their lives and fortunes, in assisting him to compass by the sword, what by fair means could not be effected." But this was only a promised aid, and as yet too remote for the king to make any use of it in the present expedition.

The king meets with obstructions in his march. Clarendon, T. II. p. 416, &c.

If all had happened as the king had imagined, if the people had flocked to his army, if he had been cheerfully supplied with all necessaries, very probably he might have arrived at London before the parliament forces could have been joined to form a new army. But his army, instead of increasing in their march, as he expected, daily diminished by fatigues, by want of money, shoes and stockings, by sickness, which disabled many of his men to follow the army¹.

He

¹ When the king marched from Chard, his army consisted but of five thousand five hundred foot, and about

four thousand horse. Clarendon, Tom. II. p. 417.

He was obliged to make frequent halts in several towns to wait for money and other necessities, which, he perceived, would not be supplied when he should be removed. The horse being discontented, as well at the lord Wilmot's disgrace as at their having received no pay this campaign, he was forced to stay till the eastern counties should supply him with money to satisfy them, otherwise he durst not advance. These delays were the reason that he came not to Salisbury till the 15th of October, six weeks after the advantage gained in Cornwall. Then it was that he altered his resolution, and instead of marching to London, contented himself with returning to his old quarters in and about Oxford. Nay, this project could not be executed without difficulty, considering the measures taken by his enemies.

Whilst the king was on his march, the parliament was not idle. They had provided six thousand arms, and clothes for the earl of Essex's foot, and detached the city-brigade, consisting of five thousand men^m, besides the necessary recruits, to join him. Sir William Waller had taken the field again, his army being recruited and reinforced, and was now at Andover ready to march. The earl of Essex's horse, which had fortunately escaped in Cornwall, were come to him, as well as those sent into the west, under the command of colonel Middleton. Thus, the earl of Essex saw himself in condition to march the 17th of October in order to join Sir William Waller and the earl of Manchester, who was within distance. The king having notice that Waller was to march to Reading, advanced with all possible diligence towards Andover, to give him battle before he had joined the earl of Essex. Nay, he fell upon his rear and killed twenty or thirty of his men. But this could not hinder the junction of the three armies which was done the 21st of October.

Whilst the king's enemies lay so near him, he very unadvisedly, as it seems, detached from his army the earl of Northampton with three regiments of horse, to relieve Banbury-castle, which had been besieged ever since July the 19th, and was now reduced to extremity. The earl succeeded in his expedition, but the king was like to pay dear for it, since, a few days after, he was forced to fight, deprived of the aid of these three regiments. His design, as I said,

^m Commanded by Sir James Harrington, being the red and blue regiments of trained-bands of London, the red regiment of Westminster, the yel-

low regiment of Southwark, and the yellow regiment of auxiliaries of the Tower-hamlets. Rushworth, Tom. V. p. 719.

CHAR. I.
1644.

Id. p. 418.
Rushworth,
V. p. 718.

The parlia-
ment forms
a great
army.
Id. p. 719.

Rushworth,
V. p. 719.
Clarendon,
T. II. p. 418,
419, 420.

CHAR. I. said, was only to retire to Oxford, there being no farther reason to induce him to pursue his march towards London.

1644. But he would first besiege Dennington-castle, and therefore advanced to Newbury, which lies but a mile from that castle, whilst the parliament-army was at Reading. The next day, that army marched towards Newbury, where the king fortified himself in the best manner he could, and placed his foot in the intrenchments, whilst the horse were posted in two adjoining open fields, and for some days there were frequent skirmishes between the two armies. At last, on the 27th of October being Sunday, the parliament-generals having divided their forces in two bodies^a, attacked the king's intrenchments at two several places. The fight, which began about three or four in the afternoon, held till night, and was extremely sharp, each side repulsing the other by turns. This is all that can be gathered with any certainty from the accounts of the battle, except that when night approached, the assailants forced part of the intrenchments, and took some pieces of ordnance. But night hindered them from improving this advantage, and put an end to the fight^c.

Rushworth,
V. p. 721,
722.

Second battle of Newbury.
Odob. 27.
Id. p. 721.
Clarendon, II. p. 421.
Whitelock.
Ladlow.

The king retires in the night, leaving his cannon in Dennington castle.
Rushworth, V. p. 722.
Clarendon, II. p. 423.

Mean while, the king fearing the enemy would the next morning penetrate into his lines, withdrew in the night, and marched to Wallingford, leaving his heavy cannon and baggage in Dennington-castle. The earl of Essex was not in the battle. He had quitted the army some days before, whether on account of some sudden indisposition, or perhaps out of some discontent, not being able to agree, either with the earl of Manchester, or Sir William Waller^d.

The

^a All the general's horse and foot; part of Manchester's horse, and most of Waller's forces, with the city brigade, marched to Speen-hill; and the earl of Manchester's foot, and part of his horse, continued in the field near Shaw. The horse were commanded by Sir William Waller and Sir William Balfour; the foot by serjeant-major-general Skippon. Rushworth, Tom. V. p. 721.

^c After a long and hot dispute (says Whitelock) the parliamentarians beat the king's forces from their works, and then from their ordnance, nine in number, in which achievement they lost a few men. Mem. p. 109.—The parliament's army, according to the lord Clarendon, consisted of about sixteen thousand horse and foot; and

the king had not half that number, Tom. II. p. 420. Whitelock says, he had eight thousand foot, and five hundred horse. Thomas Wentworth earl of Cleveland, of the king's side, was taken prisoner, p. 108. The king lost three thousand men, and the parliament two thousand five hundred. Manley, p. 76, 77.

^d Whitelock, upon this occasion, says, the houses being informed the lord-general was not well, and stayed behind the army, sent a committee of lords and commons to visit him, and express the affections of both houses to him. This was not (as was given out) a piece of courtship, but I think real. There were some however, who were jealous that he was too much inclined to peace, and favouring of the king

The parliament-generals, who thought themselves victorious, should, one would think, have attacked the king in his retreat, which they could not be ignorant of, it being then full moon. They suffered him to march however without pursuing him¹, so that he safely arrived at Oxford. But this was not their greatest error. The king having left his cannon, ammunition, and baggage in Dennington-castle, they could have done nothing more advantageous than to employ their whole strength to take the castle. But they contented themselves with summoning the governor², and, upon his refusing to capitulate, they remained quiet at Newbury without attempting any thing against him. This negligence must have been owing to the dissension amongst them, the one blaming the other for being the cause, that with so superior an army, the king's was not intirely routed. This dissension grew so high, that whatever was proposed by the one, was sure to be opposed by the other. We shall see hereafter still worse effects of their discord, and the alterations it occasioned.

Mean while, the king being informed of the discord between the parliament-generals, and of their leaving Dennington-castle unattacked, very wisely improved for favourable a juncture. Some days after his arrival at Oxford, he was joined by prince Rupert, who brought him some horse. He drew a body of foot out of the garrison of Oxford, and other neighbouring towns, and the earl of Northampton rejoined him with his brigade of horse. By means of these supplies he formed an army of six thousand foot, and five thousand horse, with which he marched back towards Newbury the 2d of November. After the battle, the parliament-army had moved towards Oxford, but were returned to Newbury, on pretence that the ways were unpassable. But the chief reason was, the generals could not agree, there being no commander in chief. They received some intelligence of the king's march; but would not believe it till they heard

CHAR. I.
1644.
Dissensions
between the
parliament-
generals.
Whitelock.
Rushworth,
V. p. 729.
Clarendon,
II. p. 424.

The king
returns to
Dennington
castle, and
takes away
his cannon
in sight of
the enemy.
Rushworth,
V. p. 729.
730.
Clarendon,
II. p. 424.
Ludlow.

king and his party. I think I knew as much of his mind as others did, and always observed him to wish for peace, yet not upon dishonourable or unjust terms. He was a lover of monarchy and nobility, which he suspected some designed to destroy; which humour then beginning to boil up, he resolved to suppress. But the jealousy upon him (who was a faithful and gallant man, and servant to the public) gave him great trouble in his thoughts, Mem. p. 108. See Holles's

Mem. p. 21, &c.

¹ Colonel Cromwell followed the body of the enemy two hours before day. Whitelock, p. 109. See Ludlow, Tom. I. p. 131.

² Threatning not to leave one stone upon another. To which the governor, Sir John Boys, made no other reply, Than that he was not bound to repair it; but however, would, by God's help, keep the ground afterwards. Clarendon, Tom. II. p. 444.

CHAR. I. of his being within six miles of Dennington. Whereupon they resolved to draw up the next day between Dennington and the king's army. To that end, orders were given for all their horse to rendezvous early on the morrow, it not being possible to march that day by reason their quarters were too separate and remote. But that very night the king pursued his march to Dennington, and drawing up his army, between the castle and Newbury, waited in that posture to see what the enemy would attempt. Though presently after the parliament-army was also drawn up, the generals, having viewed the posture and strength of the king's and held a council of war, judged it unsafe to engage. So, after some skirmishes, the king having drawn out what he left at Dennington, marched back to Oxford, where he arrived the 21st of November. In his way thither he sent a detachment of his army to the relief of John Pawlet marquis of Winchester, who had been long besieged in his own castle of Basing. But this detachment found the siege already raised. Thus ended the campaign of the year 1644, which proved not so fatal to the king as he had reason to fear, though however he lost York and all the North.

Rushworth,
V. p. 732.
Clarendon,
II. p. 407,
&c. 426.

It is time now to speak of some other occurrences of the year 1644, which had no immediate relation to the war, but of which the knowledge is no less useful and necessary than that of conflicts and battles, though they have no connection together, nor depend upon each other.

An ordinance to
forbear one
meal a week.
Rushworth,
V. p. 743.

March the 26th 1644, the parliament passed an ordinance, enjoining every family within the bills of mortality, for three months to forbear one meal a week, and contribute the value thereof for the public occasions. This was properly laying a tax upon every family. For otherwise, very likely the parliament did not much care whether this weekly meal were forborn or not, provided the value, which was to be set upon each person and family were paid.

Id. p. 749.

April the 13th an Oxford spy was executed in the Palace-yard at Westminster.

p. 750.

The 15th of the same month, it was voted by the commons, that the committee of both kingdoms should prepare propositions for peace, to be presented to the king. Not that they desired then to enter into a new treaty with the king, for, since the conferences at Oxford were broken off, nothing had passed to induce them to alter their plan. But herein they had a double view, first to let the public see, they pretended not absolutely to reject peace, as they were charged by the king: secondly, they had thereby a pretence ready

ready to propose a peace, in case they were forced to it by CHAR. I.
the misfortunes of war during the campaign. What con- 1644.
firms this to have been their chief aim, is, that these pro-
positions, which after all were the same in substance with
those debated at Oxford, were not sent up to the lords till
the 19th of August, at the very time that the earl of Essex
was driven into Cornwall, and not to the king till the 20th
of November.

Till the year 1644, the affairs of the war were so pub- The parlia-
licly debated in the parliament, that the king was acquainted ment keep
with the resolutions there taken, before they were begun to their re-
be executed. But this year the managers thought fit to give solves more
the committee of both kingdoms, who were charged with private.

the affairs of the war, more power than before, that they
might give their orders and cause them to be executed, with-
out being obliged to communicate their resolutions to both
houses. I do not know whether this was by express vote
or by mere usurpation, the committee knowing they should
at least be avowed by the leading members, in case it was
attempted to call them to an account. A considerable ad-
vantage indeed was hereby gained, in that the resolutions
became more private, and that the king had not so good in-
formation. But on the other hand, the committee had by
it a power which might be of very dangerous consequence.
And therefore several members complained, that the most
important affairs were not communicated, but that the di-
rection and management was reserved to themselves alone
by the committee. The time for which they had been
appointed being about to expire, the commons passed an
ordinance, for the continuance of the committee three months
longer, and sent it up to the lords. But the peers instead
of passing the ordinance as sent by the commons, added a
clause to increase the number of the committee, with five
lords and ten commoners of their nomination*. It is not
to be doubted, the king's private friends used their endea-
vours to increase the number of the committee, in hopes of
being able to gain some one to inform them of what should
pass there. But the commons foreseeing the consequence of
this addition, refused to consent to it, and desired the
lords, that they would pass the ordinance, without any
amendment. The lords declining to do it for some time, May 16.
the Rushworth,
V. p. 72c.

* The reason was, because divers of
the committee, especially the com-
mons, were apprehended not to be so
much the general's friends, as others

who were desired to be brought in, and
this caused some piques among them.
Whitelock, p. 87.

CHAR. I. the commons found means to get the lord-mayor and common-council of London to petition them among other things, **1644.** that the committee of both kingdoms might be continued as it was¹. Then the lords perceiving, that since the city of London interposed, their resistance would be fruitless, passed the ordinance four days after. The declarations of the city of London were a curb frequently used by the commons to stop the career of the king's friends, when by their cabals they were endeavouring to disturb their deliberations, or to sow discord between the two houses. Besides that it would have been dangerous as well as unjust to disoblige that great city, by whom the charges of the war was chiefly borne, experience had shown, that the city had infallible expedients to support their friends in the parliament. The historians of the two parties are in different sentiments on this subject. The king's adherents pretend, that in general the Londoners were for the king, and would gladly have accepted the peace he was pleased to offer them, but were over-awed by their magistrates, who were almost all devoted to the parliament. On the contrary, the parliament's friends affirm, that the number of Londoners who were for the king was far short of that of his enemies, and that the commotions now and then in the city, whether to demand peace, or to disturb the parliament's debates, were but an effect of the cabals of some private persons, who secretly adhered to the king, and endeavoured to sow dissension between the parliament and the city. That this manifestly appears in the ill success of all their attempts.

Ordinance
against the
members
that had
deserted.
June 29.
Id. p. 774.

There was in the London petition above-mentioned, another article of no less importance. A great many members of both houses, as I have observed, had deserted the parliament, before and after the beginning of the war. Some had taken this course out of affection to the king, and in order to serve him in his army, others by his express command, several through fear of punishment, for endeavouring to force the parliament to a peace, and perhaps, some to avoid being exposed to the outrages of the London mob. By the retreat of these members, the opposite party to the king was become so superior in both houses, that no man durst any longer oppose whatever they thought proper to move. Indeed, it would have been very fruitless for the king's new friends in the parliament to strive to support his interest.

¹ This petition, says Whitelock, was suspected by the general's friends, to be set on foot by his enemies, and

jealousy grew among the grandees of the parliament, p. 58.

interest. The king had therefore perceived, that his policy CHAP. I.
1644.
in diminishing the number of members in both houses, instead of being advantageous, had, on the contrary, proved very prejudicial to him, for by that means the resolutions against him passed in parliament with much greater ease. His enemies were now freed from restraint, and met with no farther opposition. The commons perceiving, that from time to time some of these members returned to London, thought not proper to admit them into the house, pursuant to a vote passed long before upon that head. They were apprehensive, if such members were admitted, the king might in time send them so great a number, as would suffice to obstruct their deliberations. Mean while, to justify their refusal to admit them, they so managed, that in the petition presented to them by the common-council of London, was inserted an article to desire, That none of the members who had deserted the parliament should be received, without satisfaction first given to both Houses for their future fidelity. In pursuance of this desire it was declared soon after, by an ordinance, that such peers as had deserted, or should desert the parliament, should not be re-admitted without the consent of both houses; and that whatsoever member of the house of commons had so offended, or should so offend hereafter, and adhere to those that were levying war against the parliament, were and should be absolutely disabled to sit in the house of commons. By this means such as might intend to return to the parliament for the king's service, had sufficient warning, that their artifice would be without effect.

Robert Sidney earl of Leicester, who about this time The earl of Leicester returns to London.
Id. p. 715.
quitted Oxford and returned to London, was not of the number of those who forsook the king to do him service. He had too much reason to be dissatisfied with his majesty, for amusing him two years together, under colour of sending him into Ireland, and for appointing at last the marquiss of Ormond lord-lieutenant in his room. The earl of Leicester was however ordered into custody at his coming to London; but, in all appearance, it was only to show, that the new ordinance was intended to be rigorously executed.

In January 1643-4, the states-general of the United- Embassy from the states-general.
Id. p. 716.
provinces, sent ambassadors into England to offer their mediation, which the two houses made no great account of, knowing what credit the prince of Orange, the king's son-in-law, had in these provinces. Besides, the ambassadors, who were all supposed to be the prince of Orange's creatures, refused

CHAR. I. refused to acknowledge the two houses of Westminster for the parliament of England. In short, these ambassadors, after several journeys to Oxford and attempts to persuade the parliament to accept their mediation without the previous acknowledgment required, fully owned the two houses for the parliament of England, and presented a memorial to offer their mediation. It must be observed, this was the next day after the news of prince Rupert's defeat at Marston-moor^a. As they had long delayed this acknowledgment, both houses left them some time without any answer, being willing doubtless, to intimate to them, that this mediation did not appear to them sufficiently impartial. Wherefore the 10th of December, they demanded a public audience, which was granted, and in which they offered again the mediation of their masters. Both houses answered, that they readily accepted the mediation of the states; but had already sent propositions to the king for a treaty of peace, of which they were to wait the success. That moreover, the two kingdoms of England and Scotland being united together by a solemn covenant, they could do nothing without the concurrence of the Scots, which would require some time. Thus they evaded the offers of the states-general, not believing such a mediation could be for their advantage.

Holles's fine repaid him. In July it was ordered by the house of commons, that the fine imposed by the star-chamber upon Mr. Denzil Holles, for his asserting the liberties of his country in parliament, should be repaid him out of the king's revenue.

Ordinance against the Irish. In October, an ordinance of both houses was published, commanding, that no quarter should be given to any Irishman taken in arms against the parliament.

III

^a On June the 6th, the Dutch ambassadors addressed themselves to the two houses in such terms as were acceptable; and it was resolved, they should be admitted to audience, which was done, July the 12th, in each house apart. Being brought into the house of peers, and chairs prepared for them, they delivered their embassy first in French, and then a copy thereof in English. Then they were conducted by the serjeant at arms, with two members into the house of commons: when they came in, the speaker and all the members stood up in their places uncovered, and the ambassadors saluted them as they passed by them; they sat down in chairs set for them,

and the members sat down likewise; and when the ambassadors were covered, the speaker and house were covered also. They made a short speech, of the affection of their masters to these kingdoms, and their desire to mediate an agreement between the king and his parliament; and after their speech ended, they returned with the same ceremonies as at their coming thither. During the time of their being in the house, there lay upon the table, in their view, forty eight colours, taken from the king's forces in the battle of Marston-moor. Rushworth, Tom. V. p. 716. Whitelock, p. 94.

In November, the lord Macguire, and Mac Mahone, CHAR. I. were brought upon their trials. They were apprehended at 1644. Dublin the very day they were to surprize the castle, and sent into England, where they had been confined in the Tower ever since. They had found means to break prison, and conceal themselves in a house in London. But unfortunately hearing a woman crying oysters in the street, one of them put his head out of window to call her, and was that instant espied by a servant of Sir John Clotworthy, who knew him, and immediately gave notice to the lieutenant of the Tower. They were both seized again, and shortly after condemned and executed ^{v.}

Trial of the lord Macguire, and Mac-Mahone. Id. p. 729--747. State-trials,

Since the famous William Laud archbishop of Canterbury had been imprisoned at the end of the year 1640, I have had but little occasion to speak of him. It is time now to relate the catastrophe of his life. He was accused by the commons of high-treason, December the 18th, 1640, and thereupon committed to the custody of the Black-rod. The 26th of February following, the articles of impeachment were brought in against him, and then he was sent to the Tower. There he remained till October the 23d, 1643, when the commons having added ten fresh articles to the impeachment, he was ordered by the lords to answer the 30th of the same month. It would be too tedious to specify all the petitions he presented, and all the expedients his council furnished him with, to cause his sentence to be deferred. It suffices to say, that he gained time till the 11th of November, 1644, on which day he spoke several hours together in his own defence ^{x.} But whether the commons were afraid their proofs were not sufficient for his condemnation, or the delays granted him by the lords, gave them cause to think, they were inclined to save his life, they used the same method as in the case of the earl of Strafford, I mean a bill of attainder, which passed their house the same day the archbishop made his defence before the peers, with but one dissenting vote. The bill being sent up to the lords, they acquainted the commons at a conference, that indeed they found the archbishop guilty of the charge as to matters of fact, but desired some farther satisfaction in point of law, whether the matters amounted to treason. Whereupon

Condemnation and execution of Laud. Rushworth, V. p. 736, &c. Heylin. Wharton. Prynne.

^v Hugh Oge Mac Mahone was hanged at Tyburn, Novemb. 22; and the lord Macguire, Feb. 20, 1644-5. Rushworth, Temp. V. p. 733, 736.

^x His trial lasted twenty days; beginning March 12, 1643-4, and ending July 29. See State-trials.

CHAR. I. upon the commons communicated to them the reasons,
1644. whereby they pretended to prove him guilty of that crime.

Upon which the lords, the 4th of January, passed the bill of attainder, whereby it was ordained, he should suffer death as in cases of high-treason, and, on the 6th, both houses

Clarendon,
II. p. 441.

ordered he should be executed the 10th. On the 7th, the lords at a conference informed the commons of a pardon to the archbishop from the king, dated the 12th of April, 1643, but it was over-ruled and rejected. The same day, the archbishop seeing there was no remedy, petitioned the lords, that the manner of his execution might be changed to beheading. He desired also, that some of his chaplains might be permitted to be with him before and at his death. The lords very readily granted his two requests, but the commons refused both, and sent him two ministers whom he did not ask for, with one of those he desired. The next day he presented a second petition to be beheaded, setting forth, that he was a divine, bishop, privy-counsellor, and peer; whereupon the commons were at length prevailed with.

Jan. 10,
1644-5.

When he was upon the scaffold, he made a pretty long speech, wherein, among other things, he insinuated, that he suffered for not forsaking the temple of God, to follow the bleatings of Jeroboam's calves, alluding to the schism of the presbyterians. He said,---“He had ransacked every corner of his heart, and thanked God, he had not found any sins there deserving death, by the known laws of the land. The king had been traduced by some for labouring to bring in popery, but, upon his conscience, he knew him to be as free from such a charge as any man living, and held him to be as sound a protestant, according to the religion established by law, as any person in the kingdom. He protested he never endeavoured the subversion of the laws of the realm, nor never any change of the protestant religion, into popish superstition. He had never been an enemy to parliaments, but did indeed dislike the misgovernment of one or two.”---After he had prayed, the executioner did his office at one blow. His friends were permitted to take his body, and bury it in Alhallows-Barking church. Such was the end of this famous prelate, who, let his favourers say what they please, was one of the chief authors of the troubles that afflicted England; first, by supporting with all his power the arbitrary principles, which the court strove for several years to establish: secondly, by a too rigid observance of trifles in the divine service, and by compelling every one to conform thereto.

hereto. All that can be said in his favour, is, that he be-CHAR. I.
lieved in his own conscience, this rigidity was necessary. 1644.

The same day the lords passed the bill of attainder against the archbishop, they passed likewise an ordinance, that the book of common-prayer should be laid aside, and the Directory established, which had been framed by the assembly of divines. Hereby the church of England was rendered by public authority, completely presbyterian, to the great satisfaction of the Scots, and many of the principal members of both houses. This was an ill preparative for the peace which was now negotiating, and of which I have deferred to speak hitherto, that the narration might not be interrupted.

The managers at his trial were, Mr. Maynard, Mr. Brown, serjeant Wild, Mr. Nicholas, for the commons; and his council were, Mr. Herne, and Mr. Chute. The sum of his charge was, That he had traitorously endeavoured to subvert the fundamental laws and government of the kingdom of England, and instead thereof, to introduce an arbitrary government. The chaplains he desired to have with him, were Stern, Haywood, and Martin; those sent by the commons, were, Stern, Marshal, and Palmer. He called his last speech a sermon, and began with a text, Heb. xii. 1, 2. In his printed defence which he left behind him, he excuses himself in most particulars, by saying, That he was but one of many, who either in council, star-chamber, or high-commission, voted illegal things. His diary shows him to be superstitious, and a regarder of dreams. He was, in the main, a learned, sincere, and zealous man, humble in his private deportment; but withal, hot and indiscreet, eagerly pursuing trifles, as bowing to the communion-table, sports on the lord's day, &c. Rushworth, Burnet, Whitelock. — Among other works of piety and magnificence, this great prelate built a court at St. John's college Oxon: procured king Charles to give to the clergy in Ireland all the impropriations then remaining in the crown: settled the impropriation of Cusden on the bishopric of Oxon: got Cominendams annexed to the bishoprics of the new foundation: obtained very ample charters for the universities of Oxford and Dublin, and regulated the statutes of the for-

mer: founded an Arabic lecture at Oxford, and an hospital in Reading: set up a Greek press in London, &c. He designed other great things, of which see an account in Rushworth, Tom. II. p. 74, 75. — The translator has received in a letter, the following remarks on this famous archbishop: the author of the letter thinks Rapin worthy of animadversion, for seeming to grant (in his character, above,) most of the fine qualities ascribed to him by his admirers, namely wisdom, learning, and good sense. "For (continues he) unless giving a series of the most violent and tyrannical counsels; be a proof of wisdom, it does not appear, wherein his wisdom consisted. Some learning indeed he had, with a good share of school-divinity, languages, and antiquities. But these of themselves, are but very slender accomplishments, affording the mind the show, rather than the substance of knowledge, and tending more to fortify men in their prejudices, than to enlarge their understanding. And for his good sense, let his own speeches in the star-chamber remain as everlasting proofs of it; particularly his argument to excuse the painter for representing God like an old man, drawn from his being called *the ancient of days*. Examines either his actions or speeches, and there can hardly be found any thing that looks like good sense, or even common discretion. His own diary (however barbarous it was to publish it) shows him a man of a very mean genius, a bigot, and an enthusiast."

The liturgy is abolished. Jan. 4. 1644-5. Rushworth, V. p. 785.

CHAR. I. The king, as hath been often seen, sent message upon
1644. message to the two houses, with overtures of peace; and,
 no doubt, he would have granted it very willingly, had they
 been as ready to receive it in his sense. But they perfectly
 knew what they were to understand by the word peace.
 Besides, at the very time the king offered to treat with both
 houses, he carefully avoided using any term that might in-
 timidate his owning them to be a parliament. It was neces-
 sary therefore, if they desired to treat with him, either that
 he should expressly acknowledge them, or that they should
 treat as private persons without authority. But supposing
 they could have resolved to do so, what would such a treaty
 have signified? This was the pretence used by both houses,
 during the campaign of the year 1644, not to answer the
 king's invitations. Mean while, as the king talked very
 much of his frequent offers to persuade the people of his sin-
 cere desire of peace, and of the refusal of both houses, they
 resolved to oblige him to explain more clearly, what he
 meant by peace, that the people might examine whether he
 offered sufficient security. For, as I said, this was the only
 point in question. The treaty at Oxford, where two pro-
 positions only were debated, not having fully cleared this
 matter, the two houses thought it would be for their advan-
 tage to induce the king, by a second treaty, to declare posi-
 tively, that he would give no other security than his bare
 word. They hoped this would suffice to efface the impres-
 sions his repeated offers might have made on the minds of
 the people.

The parlia-
 ment sent
 propositions
 to the king.
 Rushworth,
 V. p. 787.
 Whitelock,
 p. 112.

During the campaign, it was no proper season for such a
 negotiation, by reason of the variety of accidents produced
 by the war. It was not till November the 20th, two days
 after the king's return to Oxford, that the two houses sent
 him the propositions, which had been prepared in the sum-
 mer. They had sent to desire a safe-conduct for their com-
 missioners, which the king had granted but as to private
 persons, without one word to denote his considering them
 as the parliament's commissioners. Though the two houses
 were by no means pleased with such a safe-conduct, they
 accepted it however, and their commissioners repaired to
 Oxford, where the king arrived the day before*. At the
 first

* The propositions having been pre-
 pared by the committee of both king-
 doms, and approved of by both houses,
 the commissioners were appointed,
 namely, for the peers, the earl of Den-
 bigh, and the lord Maynard; for the

commons, Mr. Pierpoint, Mr. Holles,
 Mr. Whitelock, and the lord Wen-
 man; and for Scotland, the lord Main-
 land, Sir Charles Erskin, and Mr. Bar-
 clay. Whitelock, p. 111.

first audience, the king asked them, *Whether they had power to treat?* they answered, *No; their commission was only to receive his majesty's answer in writing.* The king replied, *Then a letter-carrier might have done as much as you.* In all appearance, he had expected, that the two houses would treat with him, without his owning them for the parliament of England, in which he was much mistaken. He heard the propositions read with great attention and patience, and then receiving them from their hands, told them, he would give them his answer.

Montague Bartu earl of Lindsey, who was with the king at Oxford, having sent his compliments to Holles and Whitelock, they two, with the consent of the rest of the commissioners, returned his civility by a visit. They found him indisposed, and in his bed; but he received them however, in presence of several lords who were in his room. Presently after, the king came in, and had a long conference with them. He told them, "He knew that they were both desirous of a peace, and wished, that all the rest of the members were of their opinion; and therefore, says he, out of the confidence I have of you two, I ask your advice, what answer will be best for me to give at this time to your propositions, which may probably further such a peace, as all good men desire?" Whitelock answered, "The best and most satisfactory answer, I humbly believe, would be your majesty's presence with your parliament, and which I hope might be without danger to you." The king, perceiving they did not care to speak their minds before so much company, said, "I desire you two to go into the next room, confer a little together, and set down in writing what you apprehend may be fit for me to return in answer to your message." Whereupon they withdrew into another room, and, by Holles's intreaty, Whitelock wrote down what was their sense in this matter, and what might be fit for the substance of the king's answer. But this he did not in his usual hand, and without any name to it. The paper thus written being left upon the table, the king went in, and took it up immediately. No person was present, neither did the king admit any others to hear the discourse which passed between him and them. It cannot be denied, it was very extraordinary for these commissioners to confer in private with the king, unknown to their colleagues, to whom they imparted nothing of what had passed between the king and them. Accordingly, shortly after, the lord Savile, now made earl of Suffolk, who was in the earl

CHAR. I.
1644.

Private conferences between the king and two of the parliament's commissioners.

Id. p. 113.
Rushworth, V. p. 788.

Whitelock
p. 114, 115
Holles's
of Mem. p. 6

CHAR. I. of Lindsey's room when the king came in, and who re-
 1644-5. turned afterwards to the parliament, accused them publicly
 of having held private conferences with the king. But as
 he was not able to prove what he advanced, the thing rested
 there. What I have been saying remained a secret, till
 Whitelock published it in his Memorials, and even there
 we do not find the contents of the paper written with his
 own hand ^a. But however, it is not impossible to vindicate
 these two commissioners, who having, doubtless, some know-
 ledge of the plot that was now contriving, and of which I
 shall speak hereafter, wished that a peace might be conclu-
 ded before the plot was executed. In all appearance, they
 advised the king, in order to promote a peace, to grant the
 parliament certain articles, otherwise they foresaw peace
 would be impossible; but the king thought not fit to follow
 their advice.

The king's
 answer.

Whitelock,

p. 115.

Rushworth,

V. p. 789.

The next day the king sent his answer sealed up to the
 commissioners; but they refused to receive it, unless they
 had a copy of it. The king denied it some time, at last
 gave them a copy. The substance of it was only to de-
 mand a safe-conduct for the duke of Lenox and the earl of
 Southampton, to carry his answer to the propositions. As
 this answer was not directed to any person, nor the parlia-
 ment so much as named in it, the commissioners made some
 scruple to receive it. They were prevailed with however,
 on the supposition, that the two houses would be at liberty
 to make what use of it they pleased. This paper being read
 at a conference of both houses, the exceptions against the
 form and want of directions were warmly debated; but at
 last, it was carried to lay aside all objections, and ordered
 that the earl of Essex should write to prince Rupert to this
 effect: "That if his majesty will send to the parliament of
 " England assembled at Westminster, and to the commis-
 " sioners of the kingdom of Scotland, they would with
 " all

The two
 houses de-
 mand to be
 owned for
 the true
 parliament,

^a Rapin has committed some mis-
 takes in his account, of this matter,
 particularly he makes the paper to be
 written by Holles; but they are cor-
 rected in the translation, with some
 small additions from Whitelock's Me-
 morials; which, tho' mentioned here
 and elsewhere by the author, he never
 saw but as quoted in Rushworth.

^b Whitelock, in his speech to the
 house, when accused by the lord Sa-
 vile, says, the king pressed very much
 the unreasonableness of the proposi-
 tions, particularly those concerning re-

ligion and the militia; but he was
 told, that unless he would grant them,
 it would be in vain to treat of any
 peace, p. 154, 155.

^c And told them, *What is the answer
 to you, who are but to carry what I send;
 and if I send the song of Robin Hood and
 Little John, you must carry it?* This,
 and other passages there were, which
 showed the king to be then in no good
 humour, and it was wondered at,
 since the disoblighing the commissioners
 could be of no advantage to the king.
 Whitelock, p. 114, 115.

"all readiness grant a safe-conduct for the duke of Rich-^{CHAR. I.}
mond and the earl of Southampton." The king was ex- 1644-5.
tremely loth to do this; but the affair being debated in his
council, none opposed it but himself. Nevertheless he could ^{The king}
not be prevailed with, till after he was furnished with this ^{consents to}
expedient, to make a protestation against it in private, which ^{it with dif-}
should be recorded. After that, prince Rupert's answer ^{ficulty.}
being worded as both houses desired, the safe-conduct was ^{Rushworth,}
sent to Oxford. ^{V. p. 790.}

The two lords sent from the king being come to London, ^{M. p. 801.}
delivered the king's answer to both houses ⁴, dated the 13th ^{Dugdale's}
of December, containing only, That whereas he found it ^{View,}
very difficult to return a positive answer before a full debate ^{p. 748.}
to their propositions, if the two houses would appoint com-
missioners, he would nominate the like number to treat
with them at any place that should be agreed on. As the
king thought a common-letter-carrier might have done the
office of the commissioners, who brought the propositions,
so it might be asked, where was the necessity of sending two
of the principal men of his court and council, to carry this
answer to both houses. But, in all appearance, the king's
aim was to get information, by means of these two lords
and his friends in London, of some things which he was not
fully acquainted with ⁶. However this be, not to dwell too
long upon preliminaries, the particulars whereof are not ab-
solutely necessary, it suffices to say, that the following arti-
cles were agreed on: That the commissioners of both parties ^{Rushworth,}
should meet at Uxbridge: that the conferences should be- ^{V. p. 802,}
gin the 30th of January 1644-5, and should last twenty ^{803, 805,}
days: that the propositions, as well on the king's as the ^{807.}
parliament's side, should be reduced to these three heads, ^{Dugdale's}
religion, the militia, and Ireland: that religion should be ^{View.}
treated upon, three days together; then the militia three
days more; and after that, Ireland, as many; which done,
the affairs of religion should be resumed for three days, then

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the

⁴ The houses were somewhat at a
loss about the manner of their de-
livering their message, as it was di-
rected to the Scotch commissioners, as
well as to the parliament. But at last
it was resolved, that their reception
should be by a committee of fourteen
lords, and twenty-eight commoners,
and the Scotch commissioners, in the
painted chamber. Rushworth, tom. 5.
p. 790.

⁶ Had Rapin seen Whitelock's Me-
morials, he would have found his con-

jecture confirmed. He says, both hou-
ses desired of the duke of Richmond,
and the earl of Southampton, a list of
their retinue, to the end no affront
might be offered to them, but chiefly
to discover such as came to town with
these lords, under pretence of being
of their retinue, when they were not,
but came to do ill offices to the parlia-
ment. Whitelock says, they were ci-
villy treated, whereas at Oxford, he
and the rest had been scurvily used.
p. 118.

CHAR. I. the business of the militia; and lastly, Ireland for the same time. The king's commissioners were, the duke of Richmond, the marquis of Hertford, the earl of Southampton, the earl of Kingston, the earl of Chichester, and eleven others, among whom was Sir Edward Hyde chancellor of the exchequer, afterwards earl of Clarendon^f. Those for the parliament were twelve in number, the chief whereof were the earls of Northumberland, Pembroke, Salisbury, and Denbigh^g; and for Scotland the principal were, the earl of Lowdon lord-chancellor of Scotland, and the marquis of Argyll^h. I intend not to relate the particulars of this negotiation, which was transacted by papers and answers in writing, but shall content myself with mentioning the principal matters. The king's propositions were in substance the same with those he had given at Oxford, without any alteration as to the sense. The parliament's were not much different from the Oxford ones, but more large and full, and therefore I think it proper to insert them.

The propositions of the parliament, and Scotch commissioners.

Rushworth,
V. p. 796.
Dugdale.

" I. **T**HAT all oaths, declarations and proclamations, against both or either of the houses of the parliament of England, and the late convention of estates in Scotland, be declared null, and suppressed.

" II. That his majesty may be pleased to swear and sign the late *solemn league and covenant*, and that an act of parliament be passed, for enjoining the taking thereof by all the subjects of the three kingdoms.

" III. That the bill be passed for the utter abolishing and taking away of all archbishops, bishops, &c. and the rest of the hierarchy, out of the churches of England and Ireland, and dominion of Wales, with such alterations concerning the estates of prelates, as shall agree with the articles of the late treaty, of the date at Edinburgh, the 29th of November 1643, and joint declaration of both kingdoms.

" IV. That the ordinance concerning the calling and sitting of the assembly of divines, be confirmed by act of parliament.

" V.

^f The other ten were, the lords Capel, Seymour, Hatton, and Culpeper; secretary Nicholas, Sir Richard Lane, Sir Orlando Bridgeman, Sir Thomas Gardiner, Mr. John Ashburnham, Mr. Jeoffery Palmer; with Dr. Stewart, Dr. Laney, and Dr. Sheldon, for religious affairs.

^g The other eight were, the lord

viscount Wenman, Denzil Holles, William Pierrepont, Sir Henry Vane, jun. Oliver St. John, Bulstrode Whitelock, John Crew, Edmund Prideaux.

^h The other Scotch commissioners were, the lords Maitland and Balmerino, Johnson, Erskine, Dundas, Smith, Kennedy, Barclay, together with Mr. Alexander Henderson.

“ V. That reformation of religion, according to the co-CHAR. I.
 “ venant, be settled by act of parliament, in such manner 1644-5.
 “ as both houses shall agree upon, after consultation had
 “ with the assembly of divines; and forasmuch as both king-
 “ doms are mutually obliged by the said covenant, to en-
 “ deavour the nearest conjunction and uniformity in matters
 “ of religion, that such unity and uniformity in religion,
 “ according to the covenant, as after consultation had with
 “ the divines of both kingdoms, now assembled, shall be
 “ jointly agreed upon by both houses of the parliament of
 “ England, and by the church and kingdom of Scotland,
 “ be confirmed by acts of parliament of both kingdoms re-
 “ spectively.

“ VI. That for the more effectual disabling Jesuits,
 “ priests, papists, and popish recusants, from disturbing the
 “ states, and eluding the laws, and for the better discover-
 “ ing and speedy conviction of recusants, an oath be esta-
 “ blished by act of parliament, to be administered to them;
 “ and refusing the said oath, being tendered in such manner
 “ as shall be appointed by the said act, to be sufficient con-
 “ viction in law of recusancy.

“ VII. An act of parliament for education of the children
 “ of papists by protestants in the protestant religion.

“ VIII. An act for the true levying of the penalties a-
 “ gainst them.

“ IX. That an act be passed in parliament, whereby the
 “ practices of papists against the state may be prevented,
 “ and the laws against them duly executed, and a stricter
 “ course taken to prevent the saying or hearing of mass in
 “ the court, or any other part of the kingdom.

“ X. The like for the kingdom of Scotland, concerning
 “ the four last preceding propositions.

“ XI. That the king do give his royal assent,

“ 1. To an act for the due observation of the Lord's day.

“ 2. And to the bill for the suppression of innovations in
 “ the worship of God.

“ 3. And to the bill against the enjoying of pluralities and
 “ non-residency.

“ 4. And to the following acts, for the reforming and
 “ regulating of both universities, of the colleges of West-
 “ minster, Winchester, and Eaton.

“ 5. For the suppression of interludes and stage-plays.

“ 6. For the taking the accounts of the kingdom.

“ 7. For relief of sick and maimed soldiers; and of poor
 “ widows and children of soldiers.

“ 8.

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{

" 8. For raising of monies, for the payment and satisfying the public debts and damages of the kingdom.

" 9. For taking away the court of wards and liveries, &c.

" 10. For the taking away all tenures by homage, and all fines, licenses, seizures, and pardons for alienation: and that his majesty will please to accept, in recompence hereof, one hundred thousand pounds *per annum*;

" And give assurance of his consenting in the parliament of Scotland, to an act ratifying the acts of convention of the estates of Scotland, called by the council and conservatory of peace, and the commissioners for the common burdens, and assembled the 22d day of June 1643, and several times continued since.

" 1. That the persons who shall expect no pardon, be only these following, Rupert and Maurice, count palatines of the Rhine, James earl of Derby, John earl of Bristol, William earl of Newcastle, Francis lord Cottington, John lord Pawlet, George lord Digby, Edward lord Littleton, William Laud archbishop of Canterbury, Matthew Wren bishop of Ely, Sir Robert Heath, knight, &c. and all such others, as being processed by the estates for treason, shall be condemned before the act of oblivion be passed.

" 2. All papists and popish recusants, who have been, are, or shall be actually in arms, or voluntarily assisting against the parliaments or estates of either kingdom.

" 3. All persons who have had any hand in the plotting, designing, or assisting the rebellion in Ireland.

" 4. That the members of either house of parliament, who have deserted the parliament, and concurred in the votes at Oxford, may be removed from his majesty's counsels, and be restrained from coming within the verge of the court, and that they may not, without the consent of both kingdoms, bear any office, or have any employment concerning the state or commonwealth.

" 5. That by act of parliament, all judges and officers towards the law common or civil; and likewise all bishops, clergymen, and other ecclesiastical persons, who have deserted the parliament, shall not be capable of any preferment or employment.

N. B. *Then follow several articles regulating the confiscation of the goods, and the fines of such delinquents as were not actually excepted in the pardon.*

" XII.

" XII. That an act be passed, whereby the debts of the CHAR. I.
kingdom, and the persons of delinquents, and the value 1644-5.
of their estates may be known; and appointing in what
manner the confiscations above-mentioned may be levied.

" XIII. That an act be passed in the parliament of both
kingdoms respectively, for confirmation of the treaties
passed betwixt the two kingdoms.

" XIV. That an act of parliament be passed, to make
void the cessation of Ireland, and to settle the prosecution
of the war in that kingdom.

" XV. That an act be passed in the parliament of both
kingdoms respectively, for establishing the joint declara-
tion of both kingdoms, bearing date the 30th of January,
1643.

" XVI. That by act of parliament, the subjects of the
kingdom of England may be appointed to be armed,
trained, and disciplined in such manner as both houses
shall think fit; the like for the kingdom of Scotland.

" XVII. That an act of parliament be passed, for the
settling the admiralty and forces at sea, and for the raising
of such moneys for maintenance of the said forces, and of
the navy, as both houses of parliament shall think fit;
the like for the kingdom of Scotland.

" XVIII. And an act for the settling of all forces both
by sea and land, in commissioners, to be nominated by
both houses of parliament.

N. B. *Here follow the powers which those commissioners were
to have.*

" That the commissioners of both kingdoms may meet as
a joint-committee, 1. To preserve the peace betwixt the
kingdoms. 2. To prevent the violation of the articles
of peace. 3. To raise and join the forces of both king-
doms, to resist all foreign invasion. 4. To order the war
of Ireland.

" XIX. That his majesty give his assent to what the two
kingdoms shall agree upon, in prosecution of the articles
of the large treaty, which are not yet finished.

" XX. That all peers, made since the day that Edward
lord Littleton, then lord-keeper of the great-seal, deserted
the parliament, and that the said great-seal was conveyed
away, being the 21st day of May 1642, and who shall
hereafter be made, shall not sit or vote in the parliament
of England, without consent of both houses.

" XXI. That the deputy, or chief governor, or other
governors of Ireland, as also all the great officers of the
crown

CHAR. I. " crown of England, be nominated by both houses of parliament.
1644-5. "

" XXII. That the education of his majesty's children be in the protestant religion, and that their tutors and governors be chosen by the parliaments of both kingdoms. And that if they be male, they be married to such only as are of the protestant religion; if they be females, they may not be married but with the advice and consent of both parliaments.

" XXIII. That his majesty will give his royal assent to such ways and means as the parliaments of both kingdoms shall think fitting; for the uniting the protestant princes, and for the entire restitution of Charles Lodwick prince elector palatine, to his electoral dignity and dominions, provided that this extend not to prince Rupert, or prince Maurice, or the children of either of them.

" XXIV. That by act of parliament the concluding of peace or war with foreign princes and states, be with advice and consent of both parliaments.

" XXV. That an act of oblivion be passed in the parliaments of both kingdoms respectively, relative to the qualifications in the propositions aforesaid.

" XXVI. That the members of both houses of parliament, or others, who have, during this parliament, been put out of any place or office, for adhering to the parliament, may either be restored thereunto, or otherwise have recompence for the same.

" XXVII. That the armies may be disbanded, at such time and in such manner, as shall be agreed upon by the parliaments of both kingdoms.

" XXVIII. That an act be passed, for the granting and confirming of the charters, customs, &c. of the city of London, notwithstanding any nonuser, misuser, or abuser. That the militia of the city of London, and of the parishes without, may be in the ordering and government of the lord-mayor, aldermen, and common-council.

" That the Tower of London may be in the government of the city of London, and the chief officer and governor thereof from time to time be nominated and removeable by the common-council.

" That the citizens or forces of London shall not be drawn out of the city into any other parts of the kingdom, without their own consent, and that the drawing of their forces into other parts of the kingdom in these
" distracted

"distracted times, may not be drawn into examples for the future.

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"And for prevention of inconveniences, which may happen by the long intermission of common-councils, it is desired, that there be an act, that all by-laws and ordinances already made, or hereafter to be made, by the lord-mayor, aldermen, and common-council, touching the calling, continuing, and regulating of the same, shall be as effectual in law, as if the same were particularly enacted by the authority of parliament. And that the lord-mayor, aldermen, and common-council may add to, or repeal the said ordinances from time to time, as they shall see cause.

"That such other propositions as shall be made for the city for their farther safety, welfare, and government, and shall be approved of by both houses of parliament, may be granted and confirmed by act of parliament."

If, after the reading of these propositions, it should be inquired what authority the two houses intended to leave the king, supposing he had accepted them, it would be difficult to discover it. They pretended, as it evidently appears, to leave him only an empty title, and invest themselves with the sovereignty, and that, not by artifice, but openly and publicly. Their principle was, that the king, having rendered himself unworthy, by the breach of his oaths, and of the trust reposed in him by the people, to hold the reins of the government, the supreme authority was to return to its original fountain, that is, to the people, represented by the two houses. Accordingly they did not pretend that the justice or injustice of these propositions should be debated in the treaty of Uxbridge; for it would have been ridiculous to assign but twenty days for such an examination; but they gave them as conditions from which they would not depart, and which the king was to embrace or reject. For this reason, the king's commissioners endeavoured in vain to enter into a discussion of the propositions. All they gained by that was, that the parliament's commissioners offered to demonstrate by word of mouth, in private conferences, that the propositions were very just. After that, pretending to have urged satisfactory arguments, they coldly demanded their assent, though the king's commissioners were far from being convinced by the reasons alledged to them. This method of proceeding baffled the king's commissioners, who had prepared many arguments, objections, and difficulties against the propositions, and determined to find fault with every expression.

CHAR. I. preſſion. For, after all, the king was no more deſirous of
 1644-5. a peace than the two houſes, as will preſently appear, and
 indeed it was almoſt impoſſible; conſidering the contrariety
 between the principles on which the two parties founded
 their reſpective rights. To ſay all in one word, the parlia-
 ment's commiſſioners departed not from one tittle of what
 was contained in the propoſitions.

In the firſt place, as to religion, the need both houſes
 ſtood in of Scotland, and the covenant made between the
 two nations, allowed them not to queſtion the juſtice of
 that covenant, which had been now ſworn to in both king-
 doms. Accordingly it may be affirmed, their commiſſioners
 defended this article very ill. For, to prove the neceſſity of
 the alterations made in religion, and in the diſcipline of the
 church, the confirmation whereof they demanded, the beſt
 argument they alledged was the covenant itſelf. It is true;
 in ſome conferences their miniſters were ordered to ſpeak,
 and endeavour to ſhow that epiſcopacy was not *jure divino*.
 But this did not prove the abſolute neceſſity of deſtroying it
 in England. All their reaſonings were built upon the pre-
 tended miſchiefs it had occaſioned. But when the king's
 commiſſioners propoſed to ſuffer epiſcopacy to remain, and to
 reform the abuſes thereof, the reaſons alledged by thoſe of
 the parliament not to agree to it were extremely weak ¹.

For the militia, an article which included the ordering of
 the forces of the kingdom, the cuſtody of places, the no-
 mination to great poſts, &c. the parliament could not de-
 part from it, without owning, they were making war very
 wrongfully, ſince they pretended to do it, but in order to
 obtain ſuch ſecurities, as they believed they had a right to
 demand. If by a treaty, they ſhould have accepted the
 king's word as ſufficient ſecurity, every one would have per-
 ceived they might have avoided the war, by accepting that
 ſecurity which the king had always offered before the breach.
 It muſt however be confeſſed, this article might very juſtly
 have

¹ Upon the entrance into the debate
 of religion, Dr. Stewart ſpoke againſt
 preſbyterian government, and for epiſ-
 copal, which he alledged to be *jure di-
 vino*. Mr. Henderſon answered him,
 and affirmed, that epiſcopacy was not
 ſo ſuitable to the word of God as preſ-
 bytery, which he urged to be *jure di-
 vino*. Whereupon the marquis of
 Hertford ſpoke to this effect: "My
 lords, here is much ſaid concerning
 church-government in the general;
 the reverend docters on the king's

"part affirm, That epiſcopacy is *jure
 divino*; the reverend miniſters of the
 "other part do affirm, That preſby-
 "tery is *jure divino*; for my part, I
 "think that neither the one nor the
 "others nor any government whatſo-
 "ever, is *jure divino*; and I deſire we
 "may leave this argument, and pro-
 "ceed to debate upon the particular
 "propoſals. The earl of Pembroke,
 ſays Whitelock, and many of the com-
 miſſioners, were of the ſame judgment.
 Whitelock. p. 128.

have been deemed a proper subject for a treaty. But the CHAR. I. parliament seems to have firmly adhered to the article of the militia, only to lay invincible obstacles to a peace. For 1644-5. it may be affirmed, that neither party desired peace, unless greater advantages could be procured by a treaty than by arms.

As for Ireland, the two houses thought they had upon this article so great an advantage, that they were glad to expose the king to give ill reasons in his defence. It is therefore certain, it was not properly with design to make peace that the two houses sent their commissioners to Uxbridge. Their sole aim was, to let their party see, they were determined to support the alterations they had made in religion, and the establishment of presbyterianism: to show the public, the king, when he so frequently offered peace, offered only a peace very destructive and dangerous to the nation: lastly, to confirm the people in their suspicions, that the king did not proceed as he ought in the affairs of Ireland.

The king, on his part, was no more inclined to seek expedients for a peace than the two houses. If he sent his commissioners to Uxbridge, it was, first, because having so often expressed his earnest desire to treat, he could not decently recede, when he was, as I may say, taken at his word. Secondly, he knew, it had been moved in the parliament to pursue the war more vigorously than ever, and that in order to do it with greater success, such alterations in the army were contriving, as could not but be disadvantageous to him. He hoped therefore by means of the treaty of Uxbridge, to retard the execution of that project, as well as the parliament's preparations. Thirdly, he did not question, but the unreasonable demands of both houses would produce a good effect for him in the minds of the people, because they would clearly see, that the parliament's aim was to destroy entirely the worship of the church of England, practised ever since the reformation; to assume to themselves the sovereignty under colour of curbing the power of the crown; and, in a word, to change the constitution of the government in church and state. But tho' he had consented to treat of the parliament's propositions, he was however resolved never to consent to the abolition of episcopacy, or diminution of the regal authority, nor to deprive himself of the aid he expected to receive from Ireland, by a peace with the rebels, unless he was first sure of peace in England.

What has been advanced concerning the little inclination of both parties to peace, wants no proof with respect to the parliament.

CHAR. I. parliament. Their propositions, the proceedings of their commissioners, and the short space they assigned for the treaty, are clear evidences of it. As for the king, there are still more convincing proofs. First, there is not the least likelihood, that in his situation, if he had really and sincerely resolved to labour for peace, he would have been willing, I won't say to accept, but even to listen to propositions, which tended to leave him only the empty title of king, and to deprive him wholly of the exercise of the royal power. Had he been prisoner in the hands of the parliament, harder terms could scarce have been proposed to him. And indeed, when that misfortune befel him afterwards, the parliament made very little additions to these terms proposed to him at Uxbridge, when he was yet able to defend himself. Secondly, the intentions I ascribe to the king, with regard to peace, are proved by several papers found in his cabinet at the battle of Naseby, fought a few months after, and which the parliament ordered to be printed and published. I shall give here some extracts of them, because they relate to the treaty of Uxbridge, of which I am now speaking. I own, it is not impossible, these papers may have been curtailed or forged by the publishers. But a bare possibility, without other proofs, would not be sufficient to take away all credit from these papers, the originals whereof the parliament boasted to have in their hands. Besides, the impartial reader can find nothing in them contrary to the genius and character of Charles I. or to the state of his affairs.

Directions for my Uxbridge commissioners.

First, concerning religion.

Rushworth,
V. p. 887,
&c.

"IN this, the government of the church (as I suppose)
" will be the chief question, wherein two things are to
" be considered, conscience and policy.
" For the first, I must declare unto you that I cannot
" yield to the change of the government by bishops, not
" only as I fully concur with the general opinion of Chris-
" tians in all ages, as being the best, but likewise I hold
" myself particularly bound, by the oath I took at my co-
" ronation, not to alter the government of this church,
" from what I found it. And as for the churches patri-
" mony, I cannot suffer any diminution or alienation of it,
" it being, without peradventure, sacrilege, and likewise
" contrary to my coronation-oath. But whatsoever shall
" be offered for rectifying of abuses, if any have crept in,
" or

“ or yet for the ease of tender consciences, (so that it en- CHAR. I.
 “ damage not the foundation) I am content to hear, and 1644-5.
 “ will be ready to give a gracious answer thereunto. } ”

“ For the second; as the king’s duty is to protect the
 “ church, so it is the church’s to assist the king in the main-
 “ tenance of his just authority; wherefore my predecessors
 “ have been always careful, (especially since the reforma-
 “ tion) to keep the dependency of the clergy entirely upon
 “ the crown, without which it will scarcely sit fast upon
 “ the king’s head; therefore you must do nothing to change
 “ or lessen this necessary dependency.

“ Next concerning the militia. After conscience, this
 “ is certainly the fittest subject for a king’s quarrel; for
 “ without it the kingly power is but a shadow, and there-
 “ fore upon no means to be quitted, but to be maintained
 “ according to the ancient known laws of the land: yet
 “ because (to attain to this so-much-wished peace by all
 “ good men,) it is in a manner necessary, that sufficient
 “ and real security be given for the performance of what
 “ shall be agreed upon, I permit you, either by leaving
 “ strong towns, or other military force to the rebels posses-
 “ sion (until articles be performed) to give such assurance
 “ for performance of conditions, as you shall judge neces-
 “ sary for to conclude a peace, provided always, that you
 “ take (at least) as great care, by sufficient security, that
 “ conditions be performed to me, and to make sure, that
 “ the peace once settled, all things shall return into their
 “ ancient channels.

“ As for Ireland, I confess they have very specious popu-
 “ lar arguments to press this point, the gaining of no arti-
 “ cle more conducing to their ends than this; and I have
 “ as much reason, in both honour and policy, to take care
 “ how to answer this as any. All the world knows the
 “ eminent, inevitable necessity, which caused me to make
 “ the Irish cessation; and there remain yet as strong reasons
 “ for the concluding of that peace; wherefore you must
 “ consent to nothing to hinder me therein, until a clear
 “ way be shewn me how my protestant subjects there, may
 “ probably (at least) defend themselves, and that I shall
 “ have no more need to defend my conscience and crown
 “ from the injuries of this rebellion.”

CHAR. I. *Memorials for secretary Nicholas, concerning the treaty at Uxbridge.*
1644-5.

Oxford, Feb. 1644.

- " I. **F**OR religion and church-government, I will not go one jot farther than what is offered by you already.
- " II. And so for the militia, more than what ye have allowed by me; but even in that you must observe, that I must have free nomination of the full half; as if the total number of Scots, and all, be thirty, I will name fifteen. Yet if they (I mean the English rebels) will be so base as to admit of ten Scots, to twenty English, I am contented to name five Scots, and ten English; and so proportionably to any number that shall be agreed upon.
- " III. As for gaining of particular persons, besides security, I give you power to promise them rewards for performed services, not sparing to engage for places, so they be not of great trust, or be taken away from honest men in possession, but as much profit as you will. With this last you are only to acquaint Richmond, Southampton, Culpepper, and Hyde."

The queen to the king.

Paris, Jan. 6. Decemb. 27, 1644-5.

" — **I** Understand that the commissioners are arrived at London; I have nothing to say, but that you have a care of your honour, and that if you have a peace, it may be such as may hold; and if it fall out otherwise, that you do not abandon those who have served you, for fear they do forsake you in your need: also, I do not see how you can be in safety without a regiment of guards; for myself I think I cannot be, seeing the malice which they have against me, and my religion, of which I hope you will have a care of both; but, in my opinion, religion should be the last thing upon which you should treat: for if you do agree upon strictness against the catholics, it would discourage them to serve you; and if afterwards there should be no peace, you could never expect succours either from Ireland, or any other catholic prince, for they would believe you would abandon them, after you have served yourself."---

His majesty's letter to the queen.

Dear heart,

Oxford, Dec. 1644,

" — **K**NOW (as a certain truth) that all, even my party, are strangely impatient for peace, which obliged me so much the more, at all occasions, to
" shew

"shew my real intentions to peace; and likewise, I am CHAR. I.
 "put in very good hopes, (some hold it a certainty) that if 1644-5.
 "I should come to a fair treaty, the ring-leading rebels
 "could not hinder me from a good peace: first, because
 "their own party are most weary of the war, and likewise
 "for the great distractions which at this time most assuredly
 "are amongst themselves, as presbyterians against inde-
 "pendents in religion, and general against general in point
 "of command. Upon these grounds a treaty being most
 "desirable, (not without hope of good success) the most
 "probable means to procure it was to be used, which might
 "stand with honour and safety. Amongst the rest, (for I
 "will omit all those which are unquestionably concealable)
 "the sound of my return to London, was thought to have
 "so much force of popular rhetoric in it, that upon it a
 "treaty would be had, or if refused, it would bring much
 "prejudice to them, and be advantageous to me; yet, lest
 "foolish or malicious people should interpret this, as to
 "proceed from fear or folly, I have joined conditions with
 "the proposition (without which this sound will signify no-
 "thing) which thou wilt find to be most of the chief ingre-
 "dients of an honourable and safe peace. Then observe, if
 "a treaty at London, with commissioners for both sides,
 "may be had without it, it is not to be used, nor in case
 "they will treat with nobody but myself; so that the con-
 "ditions save any aspersions of dishonour, and the treating
 "at London, the malignity which our factious spirits here
 "may infuse into this treaty upon this subject. This I
 "hope will secure thee from the trouble, which otherwise
 "may be caused by false malicious rumours; and though
 "I judge myself secure in thy thoughts, from suspecting me
 "guilty of any baseness, yet I held this account necessary,
 "to the end thou may make others know, as well as thy-
 "self, this certain truth, that no danger of death or misery
 "(which I think much worse) shall make me do any thing
 "unworthy of thy love.----I conclude, by conjuring thee
 "as thou lovest me, that no appearance of peace, nor hope-
 "ful conditions of mine, make thee neglect to hasten suc-
 "cour for him, who is eternally thine."

To the queen.

Jan. 1, 1644.

"—I Shall now tell thee, That the rebels are engaged
 "into an equal treaty,---and that the distractions of
 "London were never so great, or so likely to bring good
 "effect

CHAR. I. "effect as now. Lastly, that the assistance was never more
1644-5. "needful, never so likely as now to do good to him, who
"is eternally thine."

To the queen.

Dear heart,

Oxford, Jan. 2, 1644.

"— AS for my calling those at London a parliament, I
"shall refer thee to Digby for particular satisfac-
"tion; this is in general: if there had been but two (be-
"sides myself) of my opinion, I had not done it: and the
"argument that prevailed with me was, that the calling
"did no ways acknowledge them to be a parliament. Upon
"which condition and construction I did it, and no other-
"wise, and accordingly it is registered in the council-books,
"with the council's unanimous approbation."---

To the queen.

Dear heart,

Oxford, Jan. 22, 1644.

"— I Believe thou wilt approve of my choice of treators;
"and for my propositions, they differ nothing in sub-
"stance (very little in words) from those which were last.

"Now upon the whole matter, I desire thee to shew the
"queen and ministers there, the improbability that this
"present treaty should produce a peace, considering the
"great strange difference (if not contrariety) of grounds
"that are betwixt the rebels propositions and mine, and
"that I cannot alter mine, nor will they ever theirs, until
"they be out of hope to prevail by force, which a little
"assistance by thy means will soon make them so; for I
"am confident, if ever I could put them to a defensive
"(which a reasonable sum of money would do) they would
"be easily brought to reason."

The queen to the king.

My dear heart,

Paris, Jan. $\frac{1}{2}$, 1644.

"T OM Elliot, two days since, hath brought me much
"joy and sorrow; the first to know the good estate in
"which you are, the other, the fear I have that you go to
"London. I cannot conceive where the wit was of those
"who gave you this counsel; unless it be to hazard your
"person to save theirs: but thanks be to God, to day I
"received one of yours by the ambassador of Portugal, da-
"ted in January, which comforted me much to see that
"the treaty shall be at Uxbridge. For the honour of God,
"trust not yourself in the hands of these people; and if
"you ever go to London, before the parliament be ended,

"or

“ or without a good army, you are lost. I understand that CHAR. I.
 “ the propositions for the peace must begin by disbanding 1644-5.
 “ the army ; if you consent to this, you shall be lost, they
 “ having the whole power of the militia, they have done
 “ and will do whatsoever they will. I received yesterday
 “ letters from the duke of Lorrain, who sends me word, if
 “ his service be agreeable to you, he will bring you ten
 “ thousand men. Dr. Goffe, whom I have sent into Hol-
 “ land shall treat with him in his passage upon this busi-
 “ ness, and I hope very speedily to send good news of this,
 “ as also of the money ; assure yourself, I will be wanting
 “ in nothing you shall desire, and that I will hazard my
 “ life, that is, to die by famine, rather then not send to
 “ you. Send me word always by whom you receive my
 “ letters ; for I write both by the ambassador of Portugal,
 “ and the resident of France : above all, have a care not
 “ to abandon those who have served you, as well the bi-
 “ shops, as the poor catholics. Adieu.”---

The king to the queen.

Jan. 30:

“ — THE treaty begins this day. I desire thee to be
 “ confident, that I shall never make a peace by
 “ abandoning my friends, nor such a one as will not stand
 “ with my honour and safety.”---

To the queen.

Dear heart,

Oxford, Feb. $\frac{1}{3}$, 1644.

“ — AS for our treaty there is every day less hopes than
 “ other, that it would produce a peace, but I will
 “ absolutely promise thee, that if we have one, it shall be
 “ such as shall invite thy return ; for I vow, that without
 “ thy company, I can neither have peace nor comfort with-
 “ in myself. The limited days for treating are now almost
 “ expired, without the least agreement upon any one arti-
 “ cle ; wherefore I have sent for enlargement of days, that
 “ the whole treaty may be laid open to the world ; and I
 “ assure thee, that thou needest not doubt the issue of this
 “ treaty, for my commissioners are so well chosen, (though
 “ I say it) that they will neither be threatened nor disputed
 “ from the grounds I have given them, which, upon my
 “ word, is according to the little note thou so well remem-
 “ brest, and in this not only their obedience, but their
 “ judgments concur.”---

CHAR. I. "In short, there is little or no appearance, but that this
 1644-5. "summer will be the hottest for war of any that hath been
 "yet; and be confident, that in making peace, I shall ever
 "shew my constancy in adhering to bishops and all our
 "friends, and not forget to put a short period to this per-
 "petual parliament. But as thou lovest me, let none per-
 "suade thee to slacken thine assistance for him who is eter-
 "nally thine."

C. R.

To the queen.

Dear heart, Oxford, Feb. 19, 1644.
 "I Cannot yet send thee any certain word concerning the
 "issue of our treaty, only the unreasonable stubbornness
 "of the rebels gives daily less and less hopes of any accom-
 "modation this way; wherefore I hope no rumours shall
 "hinder thee from hastening all thou may, all possible as-
 "sistance to me, and particularly that of the duke of Lor-
 "rain's, concerning which I received yesterday good news
 "from Dr. Goffe, that the prince of Orange will furnish
 "shipping for his transportation, and that the rest of his
 "negotiations goes hopefully on.---
 "As for trusting the rebels, either by going to London,
 "or disbanding my army before a peace, do no ways fear
 "my hazarding so cheaply or foolishly; for I esteem the
 "interest thou hast in me at a far dearer rate, and pretend
 "to have a little more wit."---

To the queen.

Dear heart, Oxford, March 5, 1644.
 "NOW is come to pass what I foresaw, the fruitless
 "end (as to a present peace) of this treaty; but I
 "am still confident, that I shall find very good effects of it:
 "For besides that my commissioners have offered, to say
 "no more, full measured reason, and the rebels have stucken
 "rigidly to their demands, which I dare say had been too
 "much, though they had taken me prisoner, so that assur-
 "edly the breach would light foully upon them. We have
 "likewise at this time discovered, and shall make it evi-
 "dently appear to the world, that the English rebels (whe-
 "ther basely or ignorantly will be no very great difference)
 "have, as much as in them lies, transmitted the command
 "of Ireland from the crown of England to the Scots,
 "which, besides the reflection it will have upon these re-
 "bels, will clearly shew, that reformation of the church is
 "not

“not the chief, much less the only end of the Scotch rebellion. CHAR. I.

1644-5.

“But it being presumption, and no piety, so to trust to a good cause, as not to use all lawful means to maintain it; I have thought of one means more to furnish thee with for my assistance, than hitherto thou hast had; it is, that I give the power to promise in my name (to whom thou thinkest most fit) that I will take away all the penal laws against the Roman catholics in England, as soon as God shall make me able to do it, so as by their means, or in their favours, I may have so powerful assistance as may deserve so great a favour, and enable me to do it. But if thou ask what I call that assistance, I answer, that when thou knowest what may be done for it, it will be easily seen if it deserve to be so esteemed. I need not tell thee what secrecy this business requires; yet this I will say, that this is the greatest point of confidence I can express to thee, for it is no thanks to me to trust thee in any thing else but this, which is the only thing of difference in opinion betwixt us: and yet I know thou wilt make as good a bargain for me, even in this, I trusting thee (though it concerns religion) as if thou wert a protestant, the visible good of my affairs so much depending on it.”---

To the queen.

Dear heart,

Oxford, March 13, O. S.

“WHAT I told thee the last week concerning a good parting with our lords and commons here, was on Monday last handsomely performed: and now if I do any thing unhandsome or disadvantageous to myself or friends in order to a treaty, it will be merely my own fault; for I confess, when I wrote last, I was in fear to have been pressed to make some mean overtures to renew the treaty, (knowing there was great labourings to that purpose; but now I promise thee, if it be renewed, (which I believe will not without some eminent good success on my side) it shall be to my honour and advantage, I being now as well freed from the place of base and mutinous motions, (that is to say, our mungrel parliament here) as of the chief causers, from whom I may justly expect to be chidden by thee, for having suffered thee to be vexed by them; Wilmot being already there, Percy on his way, and Suffex within few days taking his journey to thee.”---

CHAR. I. I shall make no other remark on these letters, than that
 • 1644-5. they evidently show, the peace which the king seemed to
 desire so earnestly, was an empty sound which had nothing
 real, but as taken in his private sense of the word. I have
 shown on the other side, that the two houses were not more
 inclined to peace. Wherefore I hope my readers will not
 take it ill, that I forbear to enter into a long detail of the
 conferences at Uxbridge, where both parties sought rather
 to amuse the public than expedients to conclude. I shall
 therefore content myself with briefly relating, how far the
 condescension of the two parties reached towards making
 that peace they seemed to wish for so ardently.

Upon the article of religion, the king's commissioners,
 after many disputes, consented at last to the following par-
 ticulars.

- The offers
of the king's
commission-
ers about
religion.
Rushworth,
V. p. 818.
Dugdale's
View,
p. 780.
- “ 1. That freedom be left to all persons, of what opi-
 nions soever, in matters of ceremony, and that all the
 penalties of the laws and customs which enjoin these cere-
 monies be suspended. (1.)

REMARK (1.) Since the penal laws were not to be abo-
 lished, but only suspended, it followed that the presbyterians
 could rely on that freedom no longer than it was out of the
 king's power to deprive them of it.

“ 2. That the bishop shall exercise no act of jurisdiction
 “ or ordination, without the consent and counsel of the
 “ presbyter, who shall be chosen by the clergy of each
 “ diocese out of the learnedst and gravest ministers of the
 “ diocese ^k.

“ 3. That the bishop keep his constant residence in his
 “ diocese, except when he shall be required by his majesty
 “ to attend him upon any occasion, and that (if he be not
 “ hindered by the infirmities of old age or sickness) he preach
 “ every Sunday in some church within his diocese (3.)

REM. (3.) This was no more than the bishop's duty,
 and it was not for the king's honour to let this be considered
 as a condescension to promote the peace.

“ 4. That the ordination of ministers shall be always in
 “ a public and solemn manner, and very strict rules ob-
 “ served, concerning the sufficiency and other qualifications
 “ of those men, who shall be received into holy orders;
 “ and the bishop shall not receive any into holy orders,
 “ without

^k Rapin leaving out the word [by
 the clergy of each diocese] made a
 needless remark, that it was not de-

clared who was to chuse the presbyter,
 which is therefore omitted.

“ without the approbation and consent of the presbyters, or
“ the major part of them. CHAR. I.
1644-5.

“ 5. That competent maintenance and provision be esta-
“ blished by act of parliament, to such vicarages as belong
“ to bishops, deans, and chapters, out of the impropriations,
“ and according to the value of those impropriations, of the
“ several parishes. (4.)

REM. (4.) One of the principal things urged against the church of England by the presbyterians, was, that the churches were ill served, because the bishops, deans and chapters, committed the cure of those which belonged to them, to insufficient preachers for cheapness sake. This abuse, doubtless, ought to have been reformed, without making it one of the conditions of the peace.

“ 6. That for the time to come, no man shall be capable of two parsonages or vicarages with cure of souls.

“ 7. That towards the settling of the public peace, one hundred thousand pounds shall be raised by act of parliament, out of the estates of bishops, deans and chapters, in such manner as shall be thought fit by the king and the two houses of parliament, without the alienation of any of the said lands (5.)

REM. (5.) By the treaty between the parliament and Scotland, the lands of the bishops, deans, and chapters were assigned for the payment of the Scotch troops. The king seemed by this concession to agree, that one hundred thousand pounds should be raised upon those lands. But in supposing likewise the necessity of the king's consent for the applying that sum, the Scots could not be sure he would agree that it should be assigned to them.

“ 8. That the jurisdiction in causes testamentary, decimal, matrimonial, be settled in such manner as shall seem most convenient by the king and the two houses of parliament (6.)

REM. (6.) This concession signified nothing, for since the king meant not to give up his negative vote in parliament, to say, that after the peace this article should be settled by the king and the two houses, was as much as to say, there should be no alteration in it but what the king pleased.

“ 9. That one or more acts of parliament be passed, for
“ regulating of visitations, and against immoderate fees in
“ ecclesiastical courts, and the abuses by frivolous excom-
“ munications, and all other abuses in the exercise of eccle-
“ siastical

CHAR. I. "fiatitcal jurisdiction, in such manner as shall be agreed
1645. "upon by his majesty, and both houses of parliament (7.)

REM. (7.) This pretended concession is like the former; for after the peace shall be made, it would be still in the king's breast to give or with-hold his assent to the reformation of the abuses; whereas the point was to settle what ought to have been reformed.

When these concessions are compared with the parliament's demand, that episcopacy should be abolished; it is no wonder, the parliament's commissioners were not satisfied with them. Accordingly, without losing time in disputing upon these articles, they rejected them as insufficient, and offered not to qualify their demand in the least.

As to the militia, the king's commissioners, after long disputing, and alledging various arguments to show the injustice of depriving the king of one of the most essential prerogatives of the crown, and the inconveniencies which would infallibly flow from thence, were willing to grant:

Offers about
the militia.
Rushworth,
V. p. 827.
Dugdale's
View,
p. 796.

"That all the forces of the kingdom, both by sea and land, should be put into the hands of twenty commissioners, ten to be named by the king, and ten by the two houses, and that the same thing should be done in Scotland. But they would not consent, the commissioners for Scotland should be joined with those for England, so as to form one committee, or that the first should in any manner meddle with the affairs of England. Upon these conditions, they offered, that the king should be content that this commission should continue for three years." But still the power of these commissioners was first to be settled, wherein there were very great difficulties.

The parliament's commissioners would not agree, that the king should name ten of the persons that were to be intrusted with the militia. Their reason was, that the point being to give the people security, they would have none, if half the commissioners were nominated by the king: nay, rather it would be a means to re-kindle the war, there being no likelihood that these commissioners, thus equally divided, would ever agree, since they would be of opposite principles. Moreover, proceeding upon the foundation of the union between England and Scotland, and upon the dangers being common to both kingdoms, they persisted to demand, that the commissioners of both kingdoms should act in common. Upon these two conditions they agreed, that the commission should continue but seven years, after having long contended for

for an unlimited time. Thus the negotiation upon this, **CHAR. I.** succeeded no better than upon the foregoing article ¹. 1645.

As to Ireland, the commissioners agreed upon nothing. The parliament would have the cessation to be void, and for the future, neither peace nor truce to be made without the consent of both houses. The king's; knowing his majesty's mind, that he would not only maintain the cessation, but even designed to make peace with the Irish, were far from consenting to the parliament's demand. So, the whole dispute turned upon this point, whether the king had power to conclude a cessation, without the privy of the two houses, some affirming, others denying it. On each side the same arguments were frequently repeated, with mutual reproaches for several proceedings; and almost all the facts alledged by one side, were denied by the other, so that neither of the parties made any concession.

About
Ireland.
Rushworth,
V. p. 843.

After a negotiation of eighteen days upon the three articles I have been speaking of, the king's commissioners desired, his majesty's propositions, particularly those concerning the cessation of arms and the king's return to the parliament, might be considered. The other commissioners answered, that when the two houses should see the treaty like to succeed, they would consent to prolong it. The two remaining days were spent by the king's commissioners, in trying to obtain a prolongation of the treaty, but they could not prevail. It must be remembered, that the king's aim was to gain time for two principal reasons: first, as he was persuaded, that as long as the people had any hopes of peace, they would not easily be induced to find the parliament the necessary supplies for the continuation of the war, and so the preparations of the two houses would be retarded. The second was, that he rightly judged, the parliament would not seriously think of executing their project concerning the army,

¹ The parliament sent an express to Uxbridge, with their vote, to propose a limitation of the militia for three years, after the three kingdoms are declared by the king and parliament to be settled in peace, or to have it settled in the parliament for seven years, after the time the king is willing to settle it. When they first treated of the militia, Sir Edward Hyde would have had it taken for granted, That the whole power of the militia, by the law of England, is in the king only. This by Mr. Whitelock, was denied to be so very clear; and he

undertook to make it out, That our law doth not positively affirm, where that great power is lodged, and doubted not, but to satisfy the commissioners fully in that point. Whereupon it was moved, that a day might be appointed to hear their arguments: but on account of the time, it was thought fit to lay aside the debate. The commissioners of both kingdoms, at their return from their quarters, thanked Whitelock for encountering Sir Edward Hyde, upon the point of the right of the militia, wherein he was so confident. Whitelock, p. 129, 133.

CHAR. I. army, whilst there should be any expectation of peace. The
 1644-5. two houses perceiving the king's intention, avoided the
 } snare, and the conferences broke off upon the expiration of
 The treaty
 is broke off. the twenty days^m.

The house of commons, or rather, a new party which had been formed in the house, waited only for this rupture, to execute a project which I have just mentioned, but of which it will be necessary to speak here more largely, since the execution of this project serves for foundation to all the events which afterwards happened.

The state of
 the king and
 parliament.

Before the parliament was assisted by Scotland, the war had not been much to their advantage. The successes of the two first campaigns were so far from answering their expectations, that very probably, without the assistance of the Scots, they would have been forced to make such a peace as the king desired. If in the third, the king had lost all the North, he had made himself amends, by gaining almost all the western counties, and, after the second battle of Newbury, he was still at Oxford, in condition to withstand his enemies. The Scotch army, which, having subdued all the North, was advancing towards the middle of the kingdom, was therefore what made the balance incline to the parliament's side, and what, probably, was to give them the superiority in the fourth campaign, for which both sides were preparing. This aid came very seasonably to establish the affairs of the presbyterians, who were then all-powerful in the parliament, and disposed of every thing as they pleased. They were the men who had most conducted to engage the kingdom in a war, and called in the Scots, because they could not hope to execute their designs, unless the parliament's arms were victorious. But before I proceed, it will be absolutely necessary to make known these presbyterians, who

^m A great many of the king's friends, and particularly the earl of Southampton, went post from Uxbridge to Oxford, to press the king again and again upon their knees, to yield to the necessity of the times; and by giving his assent to some of the most material propositions that were sent him, to settle a lasting peace with his people. The king was at last prevailed with to follow their counsel; and the next morning was appointed for signing a warrant to his commissioners to that effect. But when they came early next morning to wait on him, with the warrant agreed upon over-night, they found his majesty had changed

his resolution, and was become inflexible in these points. This alteration was occasioned by a confident letter, dated February 3, which his majesty received, a few hours before he was to sign, from the marquis of Montrose, giving an account of the earl of argyle's defeat, and dissuading his majesty from treating with his rebel-subjects; because, as the marquis affirmed, "he doubted not, but "before the end of the summer, he "shou'd be able to come to his majesty's assistance with a brave army." Welwood's Mem. p. 62, 63, 302, &c. Burnet's Hist.

who till then seemed to make but one and the same party, CHAR. I.
1644-5.
though in reality they consisted of two, very different from each other, both in principles and interests.

After all my pains, I have not been able to discover precisely, the first rise of the independent sect or faction. Thus much is certain, their principles were very proper to put the kingdom in a flame, as they did effectually. With regard to the state, they abhorred monarchy, and approved only a republican government. As to religion, their principles were contrary to those of all rest of the world. They not only were averse to episcopacy, and the ecclesiastical hierarchy; but would not so much as endure ordinary ministers in the church. They maintained, that every man might pray in public, exhort his brethren, interpret the scriptures, according to the talents God had endued him with; whereas very often ministers were ordained without proper endowments, whilst those of many laymen remained useless for want of external ordination. So with them, every one prayed, preached, admonished, interpreted the holy scriptures, without any other call than what he himself drew from his zeal, and supposed gifts, and without any other authority than the approbation of his auditors ^a.

I cannot exactly tell, whether this sect or faction was entirely formed at the beginning of the parliament, or whether it sprung up during the sessions. But there is, I think, a distinction

Different origin of the independents with regard to religion and civil government.

^a The independents, called at first Congregationalists, owed their rise chiefly to Goodwin, Nye, Bridge, Symphon, and Burroughs, who transported themselves into Holland for liberty of conscience. From whence, upon the downfall of episcopacy, they returned to England, and addressed the parliament with an apologetical narrative for indisturbance and toleration. In this apology they declare, That they consulted the scriptures without any prepossession: they look upon the word of Christ as impartially and unprejudicedly as men of flesh and blood are like to do in any juncture of time, they having no temptation to any bias. As to church government, they said, they confined themselves to scripture precept and precedent, leaving room for alterations upon farther inquiry. Pursuant to these grounds, they held a middle course between presbytery and Brownism. The first they counted too arbitrary, the other too loose. Their main characteristic was, the dis-

allowing parochial and provincial subordinations, and forming all their congregations upon a scheme of co-ordinacy. As to the manner of their service, they prayed publicly for kings and all in authority: they read the scriptures, and expounded the lessons upon proper occasions: they administered the sacraments: they sung psalms, and made collections for the poor every lord's-day. Their public officers were pastors, teachers, ruling elders, (which were ecclesiastics) and deacons. As for church-censures, they had none but admonition and excommunication. The five above-mentioned independents were all or most of them members of the assembly of divines. Rapin seems to confound them with the Brownists. See their Apologetical Narrative, and Collier's Eccl. Hist. Tom. II. p. 829. — They were called independents from their declaring against the dependency of churches: which, as is said above, was their main characteristic.

CHAR. I. distinction to be made upon this subject. I conjecture, that the sect was already formed, with respect to civil government, and arose from the principles of arbitrary power, which James I. and Charles I. laboured to establish, but that with regard to religion, it was formed during this parliament. I build my conjecture upon this. When the long parliament began, there were but two known parties in the English church, namely, the episcopalians, or church of England men, and the presbyterians. The name of Independent was entirely unknown, and those, afterwards called independents, were certainly united with the presbyterians, and made a very considerable part of them. But they were different from the other presbyterians, as they proposed for their end to change the monarchy into a common-wealth, which cannot be imputed to the presbyterians in general. It is very true, the presbyterians were for humbling the regal power, and leaving the king only the shadow of sovereignty; but they preserved a sort of attachment to the name of king, and at least an external respect for royalty. If we examine the propositions they presented to the king at several times, we shall find them all built upon this foundation. They were in that like the Scots, who cannot justly be accused of intending to abolish monarchy, though they proposed to reduce it within very narrow bounds. The independents, after having lent their utmost assistance to diminish the regal power, in hopes thereby to attain their end, the destruction of the monarchy; perceived at last, they should not be able, without great difficulty, to accomplish their design. The reason was, because neither the English, nor Scotch presbyterians, had any inclination to establish a common-wealth, and because their whole clergy, who had a great influence in that party, were of the same principles. They judged therefore, it would be very advantageous to them, to destroy the clergy's authority, by intimating them to be unnecessary, and their vocation established upon no good foundation. Then it was that the independent sect began to be formed with regard to religion; for there are no signs of it, till about the end of the year 1644. I own this to be only conjecture, which may be rejected if any thing more plausible occurs.

It is no wonder therefore, that from the beginning of this parliament, the independents had earnestly contributed to put it out of the king's power to preserve his authority but by a war, and to ruin the church of England. It is rather

They join at
first the pres-
byterians.

rather to be considered, that this was the natural consequence of their principles, and a very proper means to lead them to their end. The humbling of the king, and the destruction of the church of England, were two points that were necessarily to be gained, before the establishment of a common-wealth was endeavoured. It was not therefore proper, they should separate from the presbyterians, as long as these concurred with them in their design to gain the two principal points. For that reason, they readily consented to call in the Scots, and made no scruple to approve of the covenant, and whatever else was acquired by the Scots. The business then was to be able to resist the king, who had acquired some superiority, by the happy success of his arms. This was the common interest of the presbyterians and independents, who would have been equally ruined, if the king's party had prevailed.

Mean while, the Scotch army, in strengthening alike the presbyterians and independents against the king, confirmed withal to the first, the superiority they had for some time enjoyed. As long as this superiority lasted, it was almost impossible for the independents to attain their ends. They judged it therefore absolutely necessary, to undermine the great power of the presbyterians, not openly, for fear of being oppressed before they had well laid their measures, but secretly, and by artifice. To that purpose, the leaders of this party, as Vane, Cromwell, Tate, Hallerig, and some others, began to make themselves very popular, and to express a great zeal for the public, in order to gain the good-will of the people. They had their emissaries every where, who diligently aggravated the faults committed since the beginning of the war, as well in the administration of the government, as in the military actions, and insinuated, they were intirely to be ascribed to the private views of the members of parliament, who possessing all the places and offices, were very unmindful to put an end to the troubles. That some of the generals had designedly missed opportunities of fighting with advantage, and that, in a word, the greatest part dreaded nothing so much as a decision, either by arms or a good peace.

In support of these rumours which were spread abroad, Cromwell came to the parliament at the end of the campaign, and publicly accused the earl of Manchester of not having done his duty at the battle of Newbury, and the affair of Dennington-castle; insinuating, he was afraid of

CHAR. I.
1645.

The independents begin to undermine the power of the presbyterians.
Clarendon, T. II. p. 465.

Cromwell accuses the earl of Manchester before the parliament.
Rushworth, V, p. 732, &c.

CHAR. I. putting too speedy an end to the war *. The earl answered by a memorial, which he presented to the lords, and 1644-5. Cromwell thought not fit to prosecute his accusation, which Clarendon, was properly a preparative only to begin the execution of a T. II. p. 432. greater project.

Design of arresting him laid aside.

Whitelock, p. 116.
Rushworth, VI. p. 2.

This public proceeding of Cromwell raised a suspicion, that he was one of the principal authors of the rumours which tended to render the people jealous of the parliament. There was even a conference held at the earl of Essex's, where it was considered, whether he should be arrested. But as the proofs appeared not sufficiently clear, it was resolved to wait till he should have laid himself more open. Probably, some of those that were present at this conference informed him of it, which made him hasten the execution of the project formed by himself and his friends *.

Partiality of the parliament in the distribution of places.

Project of the independents.

This project was to exclude all the members of parliament from enjoying any office or command military or civil. It is certain, that from the beginning of the war, the parliament, in the distribution of posts, had not forgot their own members, or rather to say the truth, all the principal posts were possessed by the members of one or other house. Hence sprung two great inconveniencies. The first, that as, since the breach with the king, the two houses had ruled with an absolute sway, the members who had posts in the army, had so great influence there, that no man durst oppose their sentiments, or take notice of their faults or misdemeanours, which by that means were always unpunished. This had at length bred at the end of the last campaign those great

* In that accusation it was said, that, "since the taking of York, the earl had declined whatever tended to further advantage upon the enemy; neglected, and studiously shifted off opportunities for that purpose." Rushworth, Tom. V. p. 732.

¶ One evening, Maynard and Whitelock were sent for by the earl of Essex; and when they came, they found him with the Scots commissioners, Holles, Stapleton, Meyrick, and others of his special friends. Being desired to give their opinion, Whether Cromwell might be accused of being an incendiary (which was agreed upon to be one that raised the fire of contention in a state,) they answered, Cromwell's great parts and interest in both houses were to be considered, and therefore advised not to proceed against him without

clear proof, because it would reflect upon their honour and wisdom, to begin such a thing, and not be able to make it good. Wherefore, instead of accusing him, they thought it best, that direction be given to collect such particulars relating to him, by which it might be judged, Whether they would amount to prove him an incendiary or not. The Scots liked this advice; but Holles and Stapleton were for an accusation. Whitelock says, he had cause to believe, that some who were present informed Cromwell of all that passed. And after that, Cromwell, tho' he took no notice at that time of any thing, seemed more kind to Whitelock and Maynard than formerly, and carried on his design more actively of making way for his own advancement. Whitelock, p. 116.

great dissensions between the generals, which proved so pre-judicial to the common cause. The second inconvenience was, that it was undeniably the particular interest of the members of parliament to prolong the war; since the end of the troubles, whether it happened by a decisive battle, or a treaty, would strip them of their employments. This project was therefore founded upon reasons very plausible, and apt to make impression on the people. But withal, it was of great advantage to the independents, in that the power of the presbyterian party would be considerably lessened, and they had so well laid their measures, that they were almost sure the vacant posts would be filled with men of their party. This was the more feasible, as hitherto the independents not having yet pulled off the mask, it was not easy to discover who were so, since they were still confounded with the presbyterians.

To execute this grand project, the leaders of the independents resolved to move two things in the parliament. The first, to put the army under a new model, that is, to form new regiments of horse and foot out of the present troops, so that there would be still the same officers and soldiers, but new bodies otherways composed than before. The second, that the parliament should pass an ordinance excluding the members of either house from enjoying or executing any office or command civil or military. The first was founded upon the necessity of putting an end to all factions and cabals, which might be formed in the several bodies of the army; the second, upon the necessity of demonstrating to the people, that the parliament was not influenced by private views, but preferred the public good to the interest of their own members. But the presbyterian members thereby lost at once all their posts and credit in the army. This was the true reason of the proceedings of the independents, which however they carefully concealed. The other reasons were so plausible, that they did not question they would be very agreeable to the people, who were already disposed to approve them. And therefore it was thought several members would not venture to contradict them, for fear of raising a suspicion of their acting from motives of interest.

On the 9th of December 1644, these motions were made in the house of commons, at the time when the treaty of Uxbridge was preparing. The managers of the affair moved

9 The exclusion of the members from all offices, was moved first by

Mr. Zouch Tate, who brought it in with a similitude of a boil upon his thumb;

CHAR. I. moved to take into consideration the state of the kingdom, the reasons why the war lasted so long, and the consequences of the treaty of Uxbridge, in case it was unsuccessful. This motion being approved of, the house voted themselves into a grand committee, to debate upon these points. A general silence being kept for some time, Oliver Cromwell stood up at last, and spoke briefly to this effect :

Cromwell's
speech to the
house of
commons.
Rushworth,
VI. p. 4-

“ That it was now a time to speak, or for ever to hold the tongue: the important occasion being no less than to save a nation out of a bleeding, nay, almost dying condition, which the long continuance of the war had already brought it into; so that, without a more speedy, vigorous, and effectual prosecution of the war, casting off all lingering proceedings, like soldiers of fortune beyond sea, to spin out a war, we shall make the kingdom weary of us, and hate the name of a parliament. For what do the enemy say? Nay, what do many say that were friends at the beginning of the parliament? Even this, that the members of both houses have got great places and commands, and the sword into their hands, and what by interest in parliament, what by power in the army, will perpetually continue themselves in grandeur, and not permit the war speedily to end, lest their own power should determine with it. This I speak here to our own faces, is but what others do utter abroad behind our backs. I am far from reflecting on any; I know the worth of those commanders, members of both houses, who are yet in power; but if I may speak my conscience without reflection upon any, I do conceive, if the army be not put into another method, and the war more vigorously prosecuted, the people can bear the war no longer, and will enforce you to a dishonourable peace. But this I would recommend to your prudence, not to insist upon any complaint or oversight of any commander in chief upon any occasion whatsoever; for as I must acknowledge myself guilty of oversights, so I know they can rarely be avoided in military affairs; therefore waving a strict inquiry into the causes of these things, let us apply ourselves to the remedy which is most necessary. And I hope we have such true English hearts and zealous affections towards the general weal of our mother country, as no members of either house will scruple to deny themselves, and their own private interests, for the public
“ good ;

thumb; and was set on by that party, who contrived the turning out of the earl of Essex. He was seconded by

Sir Henry Vane and others. Whitelock, p. 118. Ludlow, Tom. I. p. 145.

“ good ; nor account it to be a dishonour done to them, CHAR. I.
 “ whatever the parliament shall resolve upon in this weighty matter.” 1644-5.

Cromwell was seconded by others who spoke, like him, in a general manner, without making any particular proposition. At last, Zouch Tate and Sir Henry Vane moved expressly, to have all members of parliament excluded from commands and offices. This motion was long debated, and at length approved by a majority of voices, and a committee was appointed to prepare an ordinance to that purpose. Two days after, this ordinance was brought into the house, and it was resolved, that the 18th of the same month should be set apart for a fast, to implore a blessing on this affair, as well as on the intended new model of the army, which had been also voted, though I could not find the day. The 14th of December this ordinance was again taken into consideration, and canvassed in a grand committee very seriously on both sides. The 18th the fast was kept, and the 19th the ordinance passed the house of commons. It was called the *self-denying ordinance*, because the house, in passing it, renounced their own advantages.

The affair however was not finished till the lords had approved of the ordinance, to which they were by no means inclined. On the contrary, at a conference with the commons, they urged several reasons against it. Whereupon, the 13th of January, the whole house of commons went up to the peers with a message to press them to pass the self-denying ordinance. Nevertheless they rejected it that same day.

Notwithstanding this, the commons proceeded in forming a new model of the army, which they voted should consist, in the whole, of one and twenty thousand men, namely, six thousand horse, one thousand dragoons, and fourteen thousand foot : that the horse should be divided into ten regiments ; the dragoons into ten single companies ; and the foot into ten regiments of at least twelve hundred men each.

After that, they appointed Sir Thomas Fairfax to be general, They make

X 2

Whitelock spoke against it. See his speech in his Memorials, p. 119. — And the reasons that were given for the self-denying ordinance, see in Rushworth, Tom. VI. p. 5. It was sent up to the lords, December 21, by Mr. Pierpoint : but their lordships did not begin their debates about it till December 30, and then they committed it to eight lords, to report their opinions

about it ; which they having done, the lords had, on January 7, the conference here mentioned. Idem, p. 7.

And here, says Whitelock, first began to increase the great difference between the two houses of parliament, which swelled to so great height, as will be seen afterwards. Whitelock, p. 123.

Motion to exclude all members from posts. Ibid. Clarendon, T. II. p. 435, 436, 466. It is approved of. Another for new model. army. Decemb. 12.

The self-denying ordinance passes the commons.

Rushworth, VI. p. 7. The lords reject it. January 13. Whitelock. Manley.

The commons form the new model. Whitelock. Rushworth, VI. p. 7.

ral, Sir Thomas Fairfax ge-

CHAR. I. ral, son to the lord Fairfax who commanded in the north.
1644-5. This done, they passed an ordinance for raising money for the maintenance of the army which was to serve under the command of the new general, and, on the 28th of January, sent it up to the lords for their concurrence ^t. The lords scrupled to consent to several articles concerning the nomination of the principal officers. But as there were but few peers, they were told, they would do themselves unspeakable prejudice if they pretended to oppose the resolutions of the commons, and, in short, that their concurrence was not necessary. In all appearance, this made the lords pass the ordinance the 15th of February, without any amendments ^u.

January 21.
 Ibid.
 Sprigge,
 p. 9.
 Clarendon,
 T. II. p. 439.
 The lords
 consent to it.
 Rushworth,
 VI. p. 3.

Fairfax gives
 in a new list
 of the new
 colonels.
 Id. p. 13.

It is ap-
 proved.

1645.
 The com-
 mons at last
 got the self-
 denying or-
 dinance
 passed.

Essex, Den-
 bigh, and
 Manchester
 surrender
 their com-
 missions.
 April 7.
 Rushworth,
 VI. p. 15.
 Clarendon,
 T. II. p. 486.

The 19th of the same month, Sir Thomas Fairfax being conducted to the house by four members, was complimented by the speaker. After that, he delivered a list of the colonels he had appointed, by virtue of a clause in his commission, among whom there was not a single member of parliament ^v. There was also upon this occasion some difference between the two houses. But after several conferences, the lords approved of the list the 18th of March.

Thus the new model was completed, and, though the self-denying ordinance had been thrown out by the lords, the commons had now obtained, by empowering the general to nominate the officers of the army, the exclusion of the members of parliament from all military posts. This made them hope, it would not be impossible to cause their ordinance to pass. And indeed, they resumed the debate of it March 24, and, on the 31st, it was sent up to the lords for their consent, though they had already refused it. Then the earls of Essex, Denbigh, and Manchester, perceiving it would be in vain to strive against the stream, and that their house was not in condition to withstand the commons, surrendered their commissions, and received the thanks of both houses ^x. The next day, the 3d of April, the lords passed the

^t This was to be done by the monthly sum of forty four thousand, nine hundred and fifty five pounds, to be raised by assessment proportionably throughout the kingdom, every county being rated such a sum, Rushworth, Tom. VI. p. 1.
^u The lords did not pass this ordinance till April 1. See Rushworth, Tom. VI. p. 14.

^v For the horse.

Middleton,	Whaley,
Sidney,	Lively,
Graves,	Fleetwood,
Sheffield,	Rositer,
Vermuden,	Sir Rob. Pye.

For the foot.

Crayford,	Ingoldby,
Berkley,	Montagne,
Aldridge,	Pickering,
Holborn,	Welden,
Fortescue,	Rainborow.

^x And to sweeten the earl of Essex, (as Whitelock expresses it, p. 121.) an order was made for the better pay-

ment of 10,000 l. per annum, formerly granted to him out of delinquent's estates,

the self-denying ordinance; and thus ended this affair, which CHAR. I. had been depending four months ^{1645.}.

When it is considered, with what earnestness the commons proceeded in the self-denying ordinance, one is apt at first to believe, either that the number of the independents was very superior in the house, or that the members were very disinterested. But neither of these was the case. The presbyterians ever preserved a superiority of number, which became still greater by the members excluded from their posts, who, not being employed in the army or elsewhere, increased their party in the parliament. As to the disinterestedness of the members, it is not to be imagined, that men who had till now expressed such a greediness, as to monopolize, as I may say, and ingross to themselves all the places of trust and profit, should thus suddenly change from black to white, and sincerely desire to relinquish them. But the case was, they were attacked on their weak side, and so could vindicate themselves only by shewing a disinterestedness, which might at least make it doubtful whether it was through selfishness that they had ingrossed to themselves all the offices and posts. The independents, before they discovered their design, had taken care to prepossess the people with such plausible reasons, that the parliament was in danger of being entirely deserted, if they undertook to justify their conduct, and maintain their partiality. This certainly was what caused the ordinance to pass, though it was manifestly designed to ruin the presbyterian party. For though their superiority of number in the parliament did not cease, the independents knew, that by having the army on their side, it would be in their power to obey the parliament no farther than they pleased. According to this, they bent all their endeavours, as soon as things were regulated as they had projected. The new general was reckoned a zealous presbyterian, and by that the parliament had been allured to chuse him. But Cromwell had such an influence over him, that he made him do whatever he pleased. He had artfully persuaded him, that his sole view was the welfare of religion, and the good of his country, and thereby prepared him to receive his counsels, and place an entire confidence in him. For though the independent party began to show themselves very openly, they did not yet pretend

Remark on the proceedings of the commons.

Cromwell's power over the new general.

X 3 to

Here ended (says Whitelock) the first scene of our tragic civil wars, in the exit of this brave person Essex, who being set aside, and many gallant men his officers with him, the king's party

locked upon the new army, and new officers, with much contempt, and the new model was by them in scorn called the new noddie. *Memoirs*, p. 140.

CHAR. I. to form a separate party from that of the presbyterians, and 1645. it was more than a year before they appeared at last entirely unmasked. Cromwell especially, more than any other of this party, put on the appearance of a rigid presbyterian, and seemed to intend only the firm establishment of presbyterianism. This was necessary to preserve the confidence of the new general, and make him act according to his views, without discovering the end to which he meant to conduct him. But it was not yet time to make known his designs. There were then but two things absolutely necessary for the advantage of his party. The first, in new modelling the army, to order it so, that the officers, whom the independents thought they could confide in, might keep their commissions, and those whom they considered as their enemies, might be cashiered. For as three armies were to be reduced into one, many officers would of course be dismissed. The second thing was to prosecute the war more vigorously than hitherto, and endeavour more strenuously to disable the king to maintain it. It is evident the designs of the independents could not be executed but by the king's destruction. This was necessarily to be supposed, and, consequently, all risks were to be run to put a speedy conclusion to the war, as nothing could be more prejudicial to them than its continuation.

The general forms the new army. April 3. Rushworth, VI. p. 16. Sprigge. Holmes.

As soon as Sir Thomas Fairfax had received his commission from the parliament, he came to Windsor, his head quarters, and from thence sent commissioners wherever there were troops, to form the new regiments, and disband the supernumerary officers. No doubt, these commissioners, who were mostly general officers, had private instructions concerning the officers they were either to continue or break; and Cromwell had framed, in great measure, these instructions, though he did not appear to be concerned. The parliament undertook this reform in a very dangerous season². It was in April, when the king was preparing to take the field. If, unhappily, they had met with resistance in the troops, as many were apprehensive, and if this change had occasioned revolts, which might easily have happened by the instigations of the disbanded officers, they would have been without an army, at the beginning of a campaign, and consequently unable to withstand the king's forces. But they heard with pleasure, that every thing was effected

² Major-general Skippon did much assist in this work, especially in reducing five regiments of Essex's forces into three,

amongst which was the earl's own, that was like to prove most refractory. Rushworth, Tom. 6. p. 17. Sprigge, p. 9.

effected with great tranquility, and their orders every where perfectly obeyed. CHAR. I.
1645.

The general remained at Windsor all April, not being able sooner to finish what was to be done to prepare the army for action. During this time, he received a letter from the committee of both kingdoms ^a, informing him, that the king had sent to prince Rupert, to come and join him with two thousand horse. Wherefore, he was ordered to dispatch a party of horse towards Oxford to hinder that junction. And as the self-denying ordinance was not to take place till after forty days, namely, on the 13th of May, the charge of this service was by the committee particularly recommended to lieutenant-general Cromwell.

Cromwell departing from Windsor the 24th of April, met near Islip-bridge ^b, with a brigade of the king's horse, consisting of the queen's, and three other regiments, and utterly routed them ^c. Then he marched to Sir Thomas Coggin's at Blechington, where colonel Windebank, secretary Windebank's son, kept a garrison for the king, and summoned the colonel with a sharp message, who immediately surrendered. The king was so incensed with his cowardice, that he caused him to be condemned by a council of war, and afterwards shot to death. Cromwell gained some other advantages in those parts, but was repulsed in an assault upon Farrington.

After the earl of Essex's disaster in Cornwall, the parliament was very weak in the western counties. They had in Dorsetshire only Pool, Lyme, and Weymouth; in Devonshire, Plymouth alone, and that besieged; and in Somersetshire, only Taunton, closely invested by Sir Richard Grenvil, and in great distress. The parliament, fearing to lose that important place, sent express orders to the general to march with his whole army and raise the siege, not considering that the midland counties would be left defenceless, just as the king was going to take the field. Mean while Fairfax, in obedience to the orders, began his march the 30th of April, and on the 7th of May was beyond Salisbury.

The committee of both kingdoms having intelligence, that the king was on the 7th of May to head his army, perceived their error in sending all their forces into the west and leaving the middle of the kingdom defenceless. Where-

X 4 fore

^a From whom the parliament's army was generally to receive its orders. He is recalled.
May 6.

^b He was ordered to march beyond Oxford, as the prince was to come from about Worcester. Ibid.

^c Her majesty's standard was taken, with two hundred prisoners. Id. p. 24.

He detaches Cromwell towards Oxford
Rushworth, VI. p. 23, 24.
Sprigge.

Exploits of Cromwell.
Rushworth, VI. p. 24.
Sprigge.

The king orders colonel Windebank to be shot.
Rushworth, VI. p. 25, 26.

The king's party besiege Taunton, Clarendon, T. II. p. 491, &c.
The general receives orders to relieve Taunton.
Rushworth, VI. p. 25, 27.

CHAR. I. fore they dispatched with all speed an order to the general, 1645. which reached him at Blandford, to return, and send on'y a

He sends a party to relieve Taunton.

May 8.

Ibid. p. 28.

The siege of

Taunton is

raised, and

renewed.

May 12.

Ibid. and

P. 29.

Clarendon,

T. II. p. 510.

The king

marches

towards

Chester to

besiege it.

Rushworth,

VI. p. 29.

He takes

Leicester by

form.

Rushworth,

VI. p. 35.

Fairfax be-

sieges Ox-

ford.

May 12.

P. 33.

He raises the

siege, and

approaches

the king.

p. 36, 40.

Sprigge.

Cromwell's

absence dis-

persed with

by order of

the house

Rushworth

VI. p. 39.

Clarendon,

Id. p. 486,

287.

He takes

Mem.

party to relieve Taunton. The general immediately obeyed, and detached colonel Welden with about five thousand foot, and eighteen hundred horse to Taunton, returned back to Newbury, where he stayed some days to refresh his troops.

At the approach of the party sent to Taunton, Sir Richard Grenvil raised the siege of that place, where relief could not come more seasonably, so much was it pressed. But shortly after, general Goring came into Somersetshire with three thousand horse, given him by the king when he heard Fairfax was marching to the west. Then, Grenvil joining him, they went together, and laid siege again to Taunton, where the party that relieved the town were shut up.

During these motions of the parliament's forces, the king, on the 7th of May, took the field, and marched with about eight thousand men towards Chester, to relieve the place, besieged by Sir William Brereton^d. But he heard by the way, the siege was raised; and having nothing more to do there, marched to Leicester, which he took by storm the 30th of May.

Mean time, the parliament perceiving the king was marching towards Chester, sent orders to general Fairfax to besiege Oxford. Accordingly Fairfax approached the city, and began the siege. But within a few days, the parliament having intelligence of the taking of Leicester, were apprehensive, the king's design was to enter the associated eastern counties, and therefore ordered their general to raise the siege of Oxford, and follow the king. Fairfax therefore marched away on the 7th of June. As, very likely, a battle would quickly ensue, he writ to desire the parliament to dispense with Cromwell's absence from the house, and to order him to march to the army, and command the horse, which was readily granted. Thus, Cromwell, who had been one of the most forward to pass the ordinance for the exclusion of the members of parliament from all offices and posts, civil and military, was the only person that kept his seat in parliament, and his command in the army. This would be a very honorable distinction for him, were there not room to suspect, it was owing to his own intrigues^e.

Mean

^d It was prince Rupert that advised the king to march into the north of England. The rest of his council were for his marching into the west.

See Clarendon, Tom II. p. 501, 502. ^e This was much spoken against by Essex's party, as a breach of the self-denying ordinance, and a discovery of

Mean while, the king was very uneasy. He was informed of the siege of Oxford, but did not yet know it was raised, and that the enemy was marching directly towards him. This made him resolve to move towards Oxford, in order to relieve a city of so great importance to him. To that end, he encamped at Harborough, from whence he sent an express to general Goring, to order him to come and join him with all possible speed. Here it was he received intelligence, that Fairfax was drawn off from Oxford, and had been repulsed with great loss, in an assault upon Borsil house^f. His troops, as was usual with them, were so elated at this news, that they imagined the enemies to be in the utmost consternation, which ought to be improved by immediately giving them battle. The king himself was prepossessed with this notion, which made him contemn his enemies, and unfortunately induced him to advance to Daventry in Northamptonshire, in a belief it would always be in his power to fight when he pleased, and that his enemies would never dare to attack him. Otherwise, he might have retired to Leicester, and there quietly expected the three thousand men, colonel Gerrard was to bring him from Wales, and Goring's three thousand horse from the west. As to Goring, an accident happened, which very much conduced to hasten a battle. Fairfax had sent a man to Oxford, who pretending to serve the king, had managed so artfully, that secretary Nicholas had intrusted him with a packet to general Goring, who was before Taunton. This man having discharged his commission, Goring thought he could not employ, to carry a letter to the king, a more trusty messenger than the person sent to him by secretary Nicholas. He gave him therefore a letter for the king, wherein he told his majesty, that he hoped to be master of Taunton in a short time, conjuring him not to engage, but to stand upon the defensive, for he did not question, in twelve or fourteen days to join him with the forces under his command. The king knew nothing of the letter which was brought to Fairfax. But it convinced the parliament-generals of the absolute necessity of fighting, before that aid should come to the king.

Pursuant to this resolution, Fairfax continued to advance towards the king, who being better informed of the number and designs of his enemies, resolved to retire to Leicester.

of the intentions to continue whom they pleased, and to remove others from commands. notwithstanding their former self-denying pretences. White-

lock, p. 145.

^f In Buckinghamshire, held by the livery of a horn. Colonel Capion was governor of it. Idem, p. 146.

CHAR. I.
1645.

The king's
marches.
Rushworth,
VI. p. 29.
36, 41.
Clarendon,
II. p. 501.
504, 506.

Ibid.

Id. p. 505.

Goring's
letter to the
king inter-
cepted.
Rushworth,
VI. p. 49.

Fairfax re-
solves to
fight.

The king
resolves the
same.
Clarendon,
To II. p. 506.

CHAR. I. To that purpose, he began to march towards Harborough, 1645. where his van arrived, whilst the rest of the army was yet above two miles behind. That same night, he heard the enemies were within six miles of Harborough, and indeed general Ireton, Cromwell's son-in-law, had now fallen upon some of the king's quarters, and taken several prisoners. Whereupon it was resolved at a council of war, held in the night, to march back and meet the enemy, considering the impossibility of going to Leicester, without exposing the rear to certain destruction. So, the king returning in the morning, the 14th of June, met the parliamentarians, who upon news of his march had drawn up near Naseby. Here was fought the fatal battle that decided the quarrel between the king and the parliament.

Battle of
Naseby, in
Northamp-
tonshire.
June 14.
Clarendon,
II. p. 507.
&c.
Rushworth,
VI. p. 42,
&c.
Whitelock.
p. 130.
Sprigge.

Prince Rupert commanded the right wing of the king's army, and Sir Marmaduke Langdale the left. Sir Jacob Astley^s led the main body of the foot, and the king was at the head of the reserve of horse^h. On the parliament's side, the right wing of horse was commanded by Cromwell, the left by Ireton. General Fairfax, and major-general Skippon, were both at the head of the main-body, the first on the right, and the other on the left^l.

Prince Rupert began with charging the left wing, commanded by Ireton, and after a long conflict, wherein he met with great resistance, broke that body of horse, put them to flight, and chased them almost to Naseby town^k. In his return, he lost some time in trying to become master of the parliament's artillery. He even summoned the train, but they being well defended with fire-locks, and a rear guard, and he without foot, he could not execute his design.

At the same time, Cromwell was engaged in a very obstinate fight with Sir Marmaduke Langdale, but at length the king's horse took to flight, and were pursued about a quarter of a mile. After that, Cromwell leaving a party of horse to oppose the king's, in case he should rally, returned

^s Lately created lord Astley of Reading.

^h Though Rapin quotes Rushworth, he has followed the disposition of the army, as related by Clarendon. For both Rushworth and Whitelock say, the king commanded the main body himself, Sir Jacob Astley, with the earl of Lindsey, the right-hand reserve, and the lord Bard and Sir George Lisle the left. Rushworth, Tom. VI. p. 42. The king's forces, according to

the lord Clarendon's computation, were in all but about seven thousand four hundred men. Tom. II. p. 506.

^l The reserves were brought up by col. Rainborough, Hammond, and Pride. Rushworth, Tom. VI. p. 42.

^k Ireton had his horse killed under him, was run through the thigh, wounded in the face with a pike, and made prisoner, but found means to escape upon the turn of the battle. Whitelock, p. 130.

turned with speed to the field of battle, where his assistance CHAR. I.
1645.
was very much wanted by his friends.

The parliament's foot were engaged with the king's, and began to be pressed in such a manner, that they were in great disorder. Cromwell, who was returned victorious, changed the face of the battle, and charging the king's infantry in flank, who could not stand so vigorous an attack. Fairfax and Skippon, took advantage of this assistance to rally their troops, who had been roughly used at the beginning of the battle¹, and at last, the king's foot were so routed, that there was no possibility of rallying them.

In the mean time, the prince not being yet returned from the chace, the king was, with his reserve of horse, unable to charge Cromwell, who was stronger than himself, and was also re-joined by the party he had left behind. As soon as prince Rupert was returned with his victorious horse, and had joined the reserve, the king used his utmost endeavours to persuade them to charge once more the enemy's horse not questioning, that if he could put them to rout, he should afterwards easily vanquish the foot. But he could not prevail with them to make a second charge². This is not very strange, since it could not be done without manifest danger. Fairfax, Skippon, and Cromwell, without losing time in pursuing the king's dispersed infantry, had speedily rallied their troops. They faced the king's horse, and prepared to receive, or to charge them. So, to renew the fight, the king must, with one single wing of horse, and his small body of reserve, have fallen upon the enemies army, which wanted only the wing that was routed. This
the

¹ Fairfax had his helmet beat off, but he answered, "He would not stir but however, rid up and down bare-headed. Whereupon, colonel Charles D'oyley told him, he exposed himself to too much danger, and offered him his helmet, but he refused it, saying, "It is well enough, Charles." Then he ordered him to charge a body of the king's foot, which stood unbroken in the front, whilst he would do the same in the rear, and meet him in the middle. Which was done accordingly. In this charge Fairfax killed the ensign, and one of D'oyley's troopers took the colours, bragging, he had killed the ensign, for which D'oyley chiding him, Fairfax said, "Let him alone, I have honour enough, let him take that honour to himself." Skippon being wounded in the beginning of the fight, was desired to go off the field,

but he answered, "He would not stir as long as a man would stand." Whitelock, p. 151.

² Here the lord Clarendon makes the following remark. This difference, says he, was observed all along in the discipline of the king's troops and of those under Fairfax and Cromwell, that though the king's troops prevailed in the charge, they seldom rallied themselves again in order, nor could be brought to make a second charge the same day. Whereas the other troops, if they prevailed, or though they were beaten, presently rallied again, and stood in good order, till they received new orders. The same thing, he says, was not observable in the forces under Essex and Waller. Clarendon, Tom. II. p. 508.

CHAR. I. the cavaliers clearly perceived, and was what hindered them
1645. from obeying the king's orders. At the same time, an ac-

cident happened, which induced them to take flight, or
Clarendon, furnished them with a pretence. Robert Dalziel earl of
T. II. p. 508.

The king is
entirely
routed.

His cabinet
of papers
taken.
Clarendon,
II. p. 508.

Rushworth,
VI. p. 44.
Ludlow.

He retires
into Wales.
Ibid.
Clarendon,
II. p. 509.
522.
and prince
Rupert to
Bristol.

Robert Dalziel earl of Carnewarth, seeing the king, notwithstanding the unwillingness of his own troops, bent upon charging the enemies rode up to him and said, '*Sir, will you go upon your death, in an instant?*' And withal, laying hold of the king's bridle, turned his horse to the right. The king's cavalry, seeing his majesty's horse turned, without knowing the cause, took occasion to disband, and rode upon the spur without looking behind them. So, the king was also forced to retire, and leave his enemies masters of the field. All his infantry were so dispersed, that the enemies took as many prisoners as they pleased. He lost his whole train of artillery, all his bag and baggage, with his cabinet wherein were his most secret papers and letters, which the parliament were so cruel as to print and publish, particularly his letters concerning the treaty of Uxbridge, of which the reader has before seen some extracts. After this, he was never more able to bring a considerable army into the field. It is said, there were not slain on the king's side above six hundred men, but amongst them were more than one hundred and fifty officers; and besides, the enemy took above five thousand prisoners^a.

The king and prince Rupert that same day retreated by Leicester to Ashby de la Zouch, from whence, after a few hours refreshment, they continued their march with their horse in very great disorder to Hereford, where they parted. Prince Rupert hastened to Bristol, to prepare the city for a siege, there being great likelihood, it would quickly be attacked. The king retired into Wales, and made some stay at Ragland-castle, not despairing of being able to form another army in those parts. The reason is unknown, why he was bent, contrary to all appearance, upon raising a new army in Wales, and the neighbouring counties, instead of marching

^a Whitelock says, that on the parliament's side were wounded and slain above a thousand officers and common soldiers; and, that the king showed himself this day a courageous general, keeping close with his horse, and in person rallying them to hot encounters. Mem. p. 151. This battle was fought in a large fallow-field, on the north-west side of Naseby about a mile broad: there are now no signs of a fight remaining, excepting some few

holes; which were the burying place of dead men and horses. This town is said by some, to stand upon the highest ground in England. Addit. to Camden. — June 17, the day after the parliament received the news of this victory, both houses were feasted by the city of London at Grocers-hall, and after dinner they sung the 46th psalm, and so parted. Whitelock, p. 153.

marching into the west with his horse, where he had a strong body of troops, under the command of Goring and Green-
 CHAR. I. 1644.

Mean while, Fairfax advanced towards Leicester, which surrendered by capitulation, four days after the battle of Naseby. Then, he marched with all speed to the west, where it was very necessary to lead the army, as well to relieve Taunton and the party there shut up, as to reduce to the obedience of the parliament the western counties, which were all for the king. At the approach of the army, Goring raised the siege of Taunton^o, and in few days was defeated by Fairfax at Langport, who killed many of his men; took twelve hundred horses, and fourteen hundred prisoners^p; This victory was followed with the taking of Bridgewater, Bath, and Sherburn, after which, Fairfax laid siege to Bristol.

It was universally expected, prince Rupert would, according to custom, perform wonders in the defence of this city, which was strongly garrisoned^q and well stored with provisions and ammunition. Nay, the prince himself had sent the king word, he hoped to hold out at least four months. And yet, the parliament-army approaching the lines drawn about the place, and repulsing several sallies, the prince, upon the summons, agreed to capitulate. Fairfax came near the lines the 23d of August, and the capitulation was signed the 10th of September, before the besiegers had approached the walls. When the king heard, prince Rupert had surrendered Bristol in this manner, he was so enraged at it, that he ordered him by a letter to depart the kingdom, and revoked all his commissions. The prince published a manifesto in vindication of his conduct. But he did not sufficiently demonstrate the necessity of surrendering so soon a place of such importance^r.

Immediately after the taking of Bristol, Fairfax marched again to the west, as well to relieve Plymouth which was still invested^s, as to subdue all those counties to the parliament. But to prevent the mischiefs incurred by the earl of

Essex

^o Sir John Digby, brother to Sir Kenelm Digby, on the king's side; and on the parliament's, colonel Lloyd, and colonel Richel, were killed during this siege. Rushworth, Tom. VI. p. 54.

^p Whitelock says, there were nineteen hundred prisoners, and two thousand horse taken, p. 159.

^q The garrison was said to be nine hundred horse, two thousand five hun-

dred foot, and fifteen hundred auxiliaries. Idem, p. 167.

^r He came afterwards to the king at Newark, to vindicate him. See Clarendon, Tom. II. p. 554. And in November, obtained a pass from the parliament to go beyond sea, Whitelock, p. 178, 179.

^s And had been so for two years. Idem. p. 126.

Leicester surrenders to Fairfax.

June 27. Rushworth, VI. p. 50.

He marches into the west.

p. 51. Taunton is relieved, and Goring defeated.

p. 54.—65. Clarendon, II. p. 517, &c.

Whitelock, p. 158.

Fairfax besieges Bristol.

Aug. 22. which surrenders upon terms.

Sept. 11. Rushworth, VI. p. 65—68.

Clarendon, II. p. 532.

The king dismisses prince Rupert.

Id. p. 536.

Rushworth, VI. p. 69.

Fairfax's progress in the west.

Id. p. 89. Sprigge.

CHAR. I. Essex the last year, for want of an open communication with
 1645. London, he ordered Cromwell, with a party of horse, to
 take such places as might hinder that communication. He
 also detached colonel Rainsborough to besiege Berkley-castle,
 the only garrison the king had between Gloucester and Bristol.
 He went himself to Bath the 17th of September, where he remained till his orders were executed.

Sept. 21. Cromwell with his party appeared before the castle of the
 Rushworth VI. p. 90. Devizes in Wiltshire, situate in the road of traffic between
 London and the eastern counties. The governor Sir Charles
 Lloyd made a show of defending himself, but however capitulated
 Sept. 23. on the morrow. The same day Cromwell detached
 colonel Pickering, who became master of Laycock-house,
 where was a garrison of the king's kept by colonel Bovile.
 After that, Pickering rejoined the army, as did colonel
 Rainsborough, Berkley-castle having been surrendered by the
 governor Charles Lucas upon articles.

Sept. 26. September the 26th, the general called a council of war,
 where it was resolved that the army should march farther
 westward. But as the prince of Wales, the king's eldest
 son, was in those parts with Goring's, Grenvil's, and some
 other troops, which altogether made a considerable body,
 the general was apprehensive of meeting many difficulties
 in that expedition, and therefore thought it incumbent upon
 him to secure the communication with London. To that
 purpose, he detached Cromwell once more with orders to
 endeavour to take the castle of Winchester, and then Basing-
 house, which had been twice besieged in vain.

Cromwell, with his wonted activity, marching directly to
 Winchester, took the city and castle upon articles. A complaint
 being made by some of the garrison that they were
 plundered in their marching out, he caused strict inquiry to
 be made after the offenders, of whom six were found and
 condemned to die. After lots cast for their lives, he, whose
 lot it was, was executed; and the other five were sent to Sir
 Thomas Glemham governor of Oxford, to be punished as he
 pleased. But the governor sent them back with an acknowledgment
 of Cromwell's justice and civility.

From Winchester, Cromwell advanced to Basing, the
 house of the marquis of Winchester, which he having fortified
 kept garrison there for the king's. As he refused to
 surrender,

He had withstood several sieges, hold it out to the last extremity. For
 declaring, that if the king had no more ground in England than Basing-house, which reason the house was called loyalty.
 he would adventure as he did, and Rushworth, Tom. VI. p. 93.

surrender, he was so suddenly and briskly assaulted, that the place was carried by storm, and himself taken prisoner and sent to London. After that Cromwell took Lanford-house near Salisbury, which surrendered upon articles.

CHAR. I.

1645.

P. 94.

In the mean time, Fairfax pursuing his march into the west, came before Tiverton. It was resolved at a council of war to storm the town: but whilst they were consulting how to order the attack, a round-shot happened to break the chain of the draw-bridge, which falling down, the soldiers, without waiting for orders, possessed themselves of the town.

Ibid.

Octob. 15.

Octob. 29.

After that, the army marched towards Exeter, the capital of Devonshire. But as this place was strong and well garrisoned, and the season not proper for so important a siege, it was resolved to block it up till it could be invested in form.

p. 95.

Octob. 28.

Whilst the general was employed in ordering the blockade, which held till December, and in building necessary forts on the east-side of the Ex, the prince of Wales had time to assemble all the king's forces in those parts, with the militia of Cornwall, and form an army of eight thousand men. Fairfax hearing the enemies were preparing to march against him, resolved to prevent them by advancing towards them. He made such speed that he surprised a brigade of their horse, commanded by the lord Wentworth, and took between three and four thousand horses. This obliged the king's generals to proceed with more caution, raise the blockade of Plymouth to strengthen their army, and pass the Tamar, in order to retire into Cornwall.

The prince of Wales assembles an army in the west.

Rushworth, VI. p. 95.

Fairfax marches towards him.

Jan. 8.

p. 96.

The prince retires into Cornwall.

The prince's retreat into Cornwall gave Fairfax opportunity to attack Dartmouth, a sea-port of great consequence, which he took by storm, the season not allowing him to besiege it in form.

Fairfax takes Dartmouth, Jan. 18.

After all these advantages, Fairfax returned to Exeter, and finished the blockade of that city. Shortly after, he left the command of it to Sir Hardress Waller, and went himself to meet the lord Hopton, who was marching to the relief of Exeter, at the head of seven or eight thousand men. General Goring being withdrawn into France, the prince of Wales had given the command of his army to the lord Hopton. Fairfax approaching the enemies, heard the lord Hopton was intrenched in Torrington, to oblige him either to attack him thus advantageously posted, or to keep the field in a very rainy season, in a country where there were few villages to shelter his army from the weather. Fairfax having weighed the inconveniencies of leaving the enemies thus

He compleats the blockade of Exeter.

Id. p. 99.

Spriggs.

Clarendon.

II. p. 403.

Ac. 559.

Rushworth, VI. p. 100.

CHAR. I. thus intrenched, resolved to attack them. To that end, he advanced within a mile of Torrington, and possessed himself of some posts, with design to ingage on the morrow. But in the night Hopton's troops attempting to dislodge the parliamentarians, and these receiving assistance from the army, the battle began insensibly, and held almost the whole night. In short, after a long conflict in the dark, the lord Hopton's intrenchments were forced, and himself obliged to retire with his horse and only four or five hundred of the four thousand foot, he had before the battle. Thus all his infantry were slain or taken, or so dispersed, that it was not possible for those that escaped to rejoin their general, who was retired into Cornwall^u.

He follows him into Cornwall. Feb. 18. Rushworth, VI. p. 203, 204. Spriggs, Clarendon, II. p. 594.

After this fresh victory, Fairfax judged, his main business was, utterly to destroy the enemies horse that escaped from Torrington, consisting of three thousand, and to hinder them from joining the king. Instead therefore of returning to Exeter, he resolved to march into Cornwall with his whole army. He set out the 23d of February, and seizing the passes of the river Tamar, left there strong guards, as also in all places where he thought the enemies might try to pass, in case they intended, as was very likely, to join the king. The lord Hopton finding Fairfax was advancing towards him, and not being able to fight him, quitted Bodmin, where he had posted himself, and retired farther westward. Mean while, Fairfax still advanced, taking all possible care to guard all the passes by which the enemy might escape him.

The prince of Wales retires to Scilly. Id. p. 565. Rushworth, VI. p. 204, &c.

The approach of the parliament-army caused the prince of Wales to resolve to secure his person by retiring into Scilly, where he safely arrived^v. Mean while, the lord Hopton was extremely embarrassed, and the more, as the people of the country who before were devoted to the king, began to alter their minds, and even voluntarily offered themselves to general Fairfax, to block up the passes and hinder the king's forces from escaping. At last, the parliament-army approaching Truro, where Hopton had his headquarters,

^u There were not above five hundred slain, the greatest part were dispersed. Among the colours were taken the lord Hopton's own, with this motto, I will strive to serve my sovereign king. Rushworth, Tom. VI. p. 203.

^v The king his father, by two letters dated Novemb. 7, and December 7, ordered him, as soon as he should

find himself in a probable danger of falling into the enemy's hands, to retire into Denmark, or some other place beyond sea. See Clarendon, Tom. II. p. 546, 547. The prince, on April 16, 1646, embarked for Jersey, where he landed the next day, and from thence passed into France. Idem. Tom. III. p. 3, 4.

quarters, Fairfax sent and offered him honourable terms if he would capitulate. Whilst he waited for an answer, he still advanced towards the enemies, and beating up one of their quarters, took three hundred horses. In short, not to descend to unnecessary particulars, I shall content myself with briefly saying, that the lord Hopton seeing himself surrounded on all sides, and despairing to escape, agreed to capitulate. By the treaty, signed the 14th of March, it was agreed, that all the forces under the command of the lord Hopton, should within six days be disbanded, with leave to go beyond sea, or to their homes. That all the horses and arms should be delivered to general Fairfax, and upon performance thereof, each trooper should receive twenty shillings, or his horse. That passes should be given to such as desired to go beyond sea, upon their promising not to bear arms any more against the parliament of England¹. There were several other articles which it is needless to specify, as they concerned only the manner how the treaty was to be executed². The lords Hopton and Culpepper retired to Scilly before the treaty was signed. Thus the king's army in the west was intirely dispersed. After this, Fairfax returns before Exeter, which was surrendered upon articles the 9th of April 1646. With the taking of that city, Fairfax ended his western expedition, which could not be more glorious to him, or more advantageous to the parliament, since the king had neither towns nor forces left in the country.

Hopton's
army capi-
tulates.
March 14.
Id. p. 120,
&c.
Sprigge,
Clarendon,
II. p. 566.

Rushworth,
VI. p. 265,
— 265.
Exeter sur-
renders to
Fairfax.
Sprigge,
p. 236.

It is time now to see what passed in the rest of the kingdom, whilst the parliament-army was employed in reducing the western counties.

The Scotch army having taken Newcastle in October 1644, divided themselves in two bodies, one whereof besieged Carlisle, which surrendered upon articles in June 1645.

What the
Scots did in
England in
1645.
Rushworth,
VI. p. 218,
p. 220.

The other part of the army durst not engage in a siege, because the marquis of Montrose, who served the king in Scotland, having had great success there, it was to be feared the king would think of sending him reinforcements. Wherefore the Scots always kept in a readiness to oppose it. This became

¹ Those that stayed in England, as well foreigners as others, were to bind themselves for ever; but those that went beyond sea, only for three years not to bear arms against the parliament. Rushworth, Tom. VI. p. 124.

² Colonel Trevanion, then with his regiment at Perin, sent to desire to be included in the treaty, as did also the governor of St. Maw's castle, that commands Falmouth-haven. Rushworth, Tom. VI. p. 208.

CHAR. I. tinghamshire. He stayed in that town, till fearing to be
 1645-6. besieged by the Scots, who were approaching, he went away
 by night, and safely arrived at Oxford the 6th of November, there being no other remedy left than to make a peace with the parliament.

He comes
 about to
 Oxford.
 Rushworth,
 VI. p. 118.

But this peace was not easy to be made. The king would have willingly granted, in the present situation of his affairs, something of what he had before refused, but did not care to yield all. The parliament, on their side, were willing to make peace like conquerors, and by aggravating the terms instead of rendering them more tolerable.

The king's
 friends in
 London put
 him in hopes
 of a peace.
 Clarendon,
 II. p. 572,
 &c.

Mean while, notwithstanding the difficulties which were naturally to occur in the conclusion of a peace, the king's friends at London made him hope, that the dissensions between the presbyterians and the independents might turn to his advantage. It was intimated to him, that the presbyterians were enraged to see the independent party daily increase in number and strength, and that it was not doubted, but if he could obtain leave to come and treat in person with the two houses, the presbyterian members would find means to conclude a peace, in order to be freed from the yoke of the independents: that the city of London was almost wholly presbyterian; that the king had there also many friends, and if the parliament expressed an inclination to peace, which was very likely, it would not be in the power of the independents to prevent the conclusion. This was all very well; but they should have first explained what was to be understood by the word peace. Very probably, the parliament, or presbyterian party, which still prevailed, would have very gladly consented to a peace, if the king had been willing to grant two points, which were considered by them as absolutely necessary, namely, the abolition of episcopacy, and sufficient security for the performance of his promises. For in these two points consisted the parliament's scheme for a peace. But this was not the king's scheme. He always meant that such a peace should be made as he desired, and which I have often explained. It is true, that in his present circumstances he was willing, with regard to the security, to grant something more than what he had yet offered: but nothing could prevail with him to consent to the abolition of episcopacy. So, by ever preserving the ambiguity in the term peace, he imagined if he could obtain liberty to come and treat at London with the two houses, it would not be impracticable, with the help of his friends, to force the parliament to make peace
 with

with him in his sense of the word, though nothing was further from the intention of both houses. CHAR. I.
1645-6.

In this belief the 5th of December, he demanded of the two houses a safe-conduct for the duke of Richmond, the earl of Southampton, John Ashburnham, and Jeffery Palmer, Esquires, who were to bring propositions for a peace. The king tries in vain to bring the parliament to a peace. Rushworth, VI. p. 215.

The 15th of the same month he renewed his demand, complaining of his having received no answer.

The 26th he sent them a third message, wherein he said : 216.

“ That conceiving the former treaties had hitherto proved ineffectual, chiefly for want of power in those persons that treated, as likewise, because those from whom their power was derived, could not give so clear a judgment as was requisite ; if therefore he might have the engagement of the two houses at Westminster, the commissioners of the parliament of Scotland, the mayor, aldermen, common-council, and militia of London ; of the chief commanders in Sir Thomas Fairfax’s army, as also of those in the Scots army, for his free and safe coming to, and abode in London or Westminster for the space of forty days ; he would come and have a personal treaty with the two houses of parliament at Westminster, and the commissioners of the parliament of Scotland, upon all matters which might conduce to the restoring of peace and happiness to his kingdoms. Clarendon, II. p. 573.

“ He declared beforehand, that he was willing to commit the great trust of the militia, for such time, and with such powers, as were expressed in the paper delivered by his commissioners at Uxbridge, to thirty persons he named. But if this did not satisfy the parliament, then he offered to name the one half, and leave the other to the election of the two houses.”

Before the two houses received this last message, they had sent the following answer to the two first :

“ That finding that former treaties had been made use of for other ends, under the pretence of peace, and had proved dilatory and unsuccessful, they could not give way to a safe-conduct, according to his majesty’s desire. Decemb. 25. Rushworth, VI. p. 217.
“ But both houses of the parliament of England, having under their considerations, propositions and bills for the settling of a safe and well-grounded peace, which were speedily to be communicated to the commissioners of the kingdom of Scotland, did resolve, after mutual agreement of both kingdoms, to present them with all speed to his majesty.”

CHAR. I. The king replied, the 29th of December. He complained 1645-6. that a safe-conduct was denied for the persons he intended to send. He insisted upon his demand of a personal treaty, and desired an answer to his message of the 26th. He said, he should never have thought of coming to London, if it was not his sincere intention to make peace.

Id. p. 218.

The 15th of January 1645-6, he sent another message to both houses, wherein he complained of not having an answer: he said, "That what he earnestly desired was peace, and the means, his personal presence at Westminster, where the government of the church being settled as it was in the times of queen Elizabeth and king James, and full liberty for the ease of their consciences who would not communicate in that service established by law, and likewise for the free and public use of the directory, to such as should desire to use the same; and all forces being agreed to be disbanded, his majesty would then forthwith join with his two houses of parliament, in settling some way for the payment of the public debts to his Scotch subjects, the city of London, and others. And having proposed a fair way for the settling of the militia, he would endeavour upon debate with his two houses, so to dispose of it, as likewise of the business of Ireland, as might give them and both kingdoms satisfaction. Not doubting also, but to give good contentment to his two houses of parliament in the choice of the lord-admiral, the officers of state, and others."

Id. p. 219.

The 13th of January 1645-6, two days before the date of the last message, both houses had returned an answer to that of the 29th of December.

"That there had been a great deal of innocent blood of his subjects shed in the war, by his majesty's commands and commissions.

"That there had been Irish rebels brought over into both kingdoms, and endeavours to bring over more as also forces from foreign parts.

"That his majesty was in arms in those parts, and the prince at the head of an army in the west; there were also forces in Scotland against that parliament and kingdom, by his commission; and the war in Ireland was fomented and prolonged by his majesty.

"That until satisfaction and security was first given to both kingdoms, his majesty's coming to the parliament could not be convenient; nor by them assented unto.

"That

“ That they could not apprehend it a means conducing CHAR. I.
 “ to peace, that his majesty should come to his parliament 1645-6.
 “ for a few days, with any thoughts of leaving it, especially
 “ with intentions of returning to hostility against it.

“ That his majesty desired the engagement not only of
 “ his parliament, but of the lord-mayor of London, &c.
 “ which was against the privileges and honour of the par-
 “ liaments, those being joined with them, who were sub-
 “ ject, and subordinate to their authority.

“ That the only way for the obtaining an happy and
 “ well grounded peace, was, for his majesty to give his as-
 “ sent to those propositions that should be sent to him.

“ That there was not so much as any mention of Scot-
 “ land.”

The king, in a reply to this answer, greatly complained Jan. 17.
 of the aspersions cast upon him by both houses, and reproach- Id. p. 220.
 ed them in his turn. He insisted upon an answer to his
 message of the 15th of December, saying, “ No rational
 “ man could think their last paper, to be any answer to his
 “ former demands.”

But the 24th of the same month, he sent a farther reply
 to every particular article of that answer. The substance
 whereof was:

1. *That a great deal of innocent blood had been spilt.*

That is the very reason why he presseth that there should
 be no more (1.)

REMARK (1.) The meaning of this objection of both
 houses was, that there having been a great deal of blood
 spilt in the war, it was reasonable the authors thereof should
 be punished, and that the king continuing to protect them,
 it was necessary to prosecute the war till he should be oblig-
 ed to deliver them to justice. So, the king's general reply
 upon this article answered not the objection.

2. *That he had caused some Irish to repair to his assistance.*

He answered, that those whom they called Irish, were
 indeed (for the most part) such English protestants as had
 been formerly sent into Ireland by the two houses, and un-
 able to stay there any longer, by the neglect of those that
 sent them thither, who should have better provided for
 them (2.)

REM. (2.) The objection did not relate to the English
 forces the king had sent for from Ireland. The two hou-
 ses were far from giving those soldiers the name of Irish.
 But they meant the Irish papists entertained by the king in
 his army, and particularly ten thousand men which the earl

CHAR. I. of Glamorgan was to bring over. The king feigned not to understand the two houses, and made an evasive answer to the objection.

3. *That the prince was at the head of an army.* The king answered, it was no great wonder, since there was yet no peace.

4. *That he desired to come to his parliament but for a few days.* He answered by protesting, that he sought that treaty to avoid future hostility, and procure a lasting peace (3.)

REM. (3.) The parliament did not question it: but they thought the king would come to London only to compel, by means of his friends, both houses to make such a peace as he desired. So, this general answer was not capable of giving them satisfaction.

5. *That the engagements which his majesty had desired for his security, were a breach of privilege.* The king answered, that whosoever should call to mind the particular occasions that enforced him to leave the city of London and Westminster, would judge his demand very reasonable and necessary for his safety. But he no way conceived how the lord-mayor, aldermen, &c. of London, were either subject or subordinate to the authority of the two houses.

6. *That he had made no mention of Scotland.* He answered, it was included in his former, and had been particularly mentioned in his latter, message of the 15th.

Lastly, He desired a positive answer to his former messages.

Rushworth,
VI. p. 222.

The 29th of January the king sent another message to both houses, wherein he expressly disavowed the earl of Glamorgan, concerning the treaty with the Irish rebels: and said, "That that earl having made offer unto him to raise forces in the kingdom of Ireland, and to conduct them into England for his majesty's service, he had granted him a commission to that purpose, and to that purpose only: but that he had no commission at all to treat of any thing else, without the privy and directions of the lord-lieutenant. And this clearly appeared by the lord-lieutenant's proceedings with the said earl, who had orders to call him to an account (4.)"

REM. (4.) The disguise used by the king on this occasion will manifestly appear in what will be said presently concerning this treaty.

The king added, "That if the two houses would admit of his repair to London for a personal treaty, speedy notice should be given him thereof, and a safe-conduct with

"a

“ a blank sent for a messenger to be immediately dispatched CHAR. I.
 “ into Ireland, to stop the conclusion of the peace, the 1645-6.
 “ lord-lieutenant being empowered to treat and conclude it. }

“ That he would leave the management of the business
 “ of Ireland wholly to the two houses, and make no peace
 “ there but with their consent, in case his endeavours in
 “ the treaty should be blessed with success.

“ That if his personal repair to London should be ad-
 “ mitted, and a peace thereon ensue, he would then leave
 “ the nomination of the persons to be intrusted with the
 “ militia, wholly to his two houses, with such power and
 “ limitations as were expressed in the paper delivered by his
 “ majesty's commissioners at Uxbridge the 6th of February
 “ 1644-5.

“ That if the peace succeeded, he would be content,
 “ that *pro hac vice*, the two houses should nominate the ad-
 “ miral, officers of state, and judges, to hold their places
 “ during life, or *quamdiu se bene gesserint*, to be accountable
 “ to none but the king and the two houses of parliament.

“ That as for matter of religion, he intended, that all
 “ protestants should have the free exercise of their religion
 “ according to their own way.

“ That upon the conclusion of peace there should be a
 “ general act of oblivion and free pardon.

“ And this to extend to Scotland.”

The king had never made such advances before, and yet all his endeavours to obtain a safe-conduct were fruitless. The two house were so persuaded of his ability in the choice of his expressions, which were commonly ambiguous, and capable of a different sense from what appeared at first sight, that they could not resolve to treat with him upon his own propositions. Besides, they did not doubt, but the overture of a personal treaty was designed for a snare to force them to such a peace as he desired. They sent therefore to his several messengers no other answer than what has been seen. So, this sort of negotiation, of which the king expected a happy event, only left things just as they were.

Both houses, as we have seen, reproached the king, that he was now endeavouring to bring Irish troops into Eng-
 land; the king did not disown it, but denied the giving of
 the earl of Glamorgan power to treat with the rebels upon
 any other article. This was literally true, but the king
 took care not to discover the whole extent of this article,
 and yet both houses were perfectly informed of it, as will
 hereafter appear. To understand fully the objection and
 answer,

The king's
 project to
 make peace
 with the
 rebels.
 Id. p. 238.
 Cox, Part II.
 p. 134.

CHAR. I. answer, it will be necessary to relate what passed in Ireland upon this subject. This is not one of the least curious points of the reign of Charles I. though the lord Clarendon has thought fit to pass it over in silence.

Rushworth, The cessation made by the king with the Irish rebels, V. p. 895, had not intirely suspended hostilities in that island. Murrough O Bryen lord Inchiquin, who commanded in Munster for the parliament, and major-general Monroe, who was at the head of the Scots in Ulster, had refused to accept of the cessation¹. On the other hand, the English forces drawn by the king out of Ireland, had been intirely ruined and dispersed in England. Thus the king had reaped no advantage by the cessation, the motives whereof he had concealed with all possible care. He had pretended, he was indispensably obliged to conclude it, in order to save the English from the utter destruction they were threatened with, by the superiority of the rebels and the parliament's neglect to send supplies into Ireland. But when these English troops were seen to come into England, it was easy to perceive the true reason of the cessation.

The king not having reaped from this artifice all the advantage he expected, desisted not from the design of making use of the assistance of the Irish to continue the war against the parliament. On the contrary, he formed the project of a peace with the rebels, in order to employ, not only the rest of the English troops still in Ireland, but also a good body of Irish, whom he intended to send for into England. He ordered therefore the marquis of Ormond, lord-lieutenant of Ireland, to negotiate this peace, wherein however difficulties seemingly insurmountable occurred. To make peace with the Irish, they were necessarily to be satisfied in point of religion. But this the king could not do without running counter to all his protestations concerning his great zeal for the protestant religion, and without confirming in some measure, the suspicions of those who believed he was concerned in the Irish rebellion. In a word, he could not take this step, without relinquishing the interest of the Irish protestants, and giving the Catholics such advantages, as would render them very superior to the protestants. The interests of England were also to be abandoned, and the dominion she had always enjoyed over Ireland, since the conquest of that kingdom, was in great measure to be forfeited. Nay, he was in danger by such a proceeding to lose many friends in

¹ The lord Inchiquin refused to accept it, because he could not obtain the presidency of Munster. See Borlase's p. 146.

in England. Those who were sincerely attached to him, CHAR. I. and persuaded, that he acted upon motives of justice and 1645-6. religion, must have opened their eyes, when they saw him manifestly betray the interest of England, and the protestant religion, if he had concluded with the Irish such a peace as they demanded. These were great difficulties which could be surmounted but by one of these ways; either by persuading the Irish to rely on his general promises, that he would content them at a better juncture, and when it was more in his power; or else, colouring with some specious pretence, the favours he should be obliged to grant them for a peace. As to the first way, the king forgot nothing that he believed apt to induce the Irish to trust to his promises, and herein the marquis of Ormond was long employed without any effect. The Irish were immoveable, and would not be contented with bare words. The second way was still more impracticable: for what colour could be put upon an intire relinquishing of the interests of religion and England?

Mean while, as the king hoped, that with the succours from Ireland, he should be able to give law to the parliament, and then, be obliged to use no farther ceremony; he resolved not to deprive himself of such an advantage, but to grant the Irish whatever they demanded. However, to avoid the prejudice such a proceeding might create him in England, he chose to conclude a private peace with the Irish, without solemnity, or the intervention of the lord-lieutenant, and to bind himself to have it effectually executed, till it should be in his power to ratify it solemnly, with which the Irish were content.

To this purpose, whilst the marquis of Ormond was seemingly labouring with great earnestness to make a peace with the rebels, by trying to persuade them to desist from part of their demands, Edward Somerset earl of Glamorgan, authorized by the king, was treating secretly and more effectually with them. He granted them, on the king's behalf, all their demands, on condition they would furnish him with ten thousand men, who should pass into England, under the command of the same earl of Glamorgan. But as this lord's bare promise was not a sufficient security for the Irish, the king sent him full powers, the tenor whereof was as follows:

CHARLES R.

“ CHARLES by the grace of God, king of England, ^{Rushworth,}
“ Scotland, France, and Ireland, defender of the faith, VI. p. 239.
“ &c. To our trusty, and right well-beloved cousin, Edward ^{240, 243.}
“ earl

CHAR. I. " earl of Glamorgan, greeting. We, reposing great and
 1645-6. " especial trust and confidence in your approved wisdom,
 " and fidelity, do by these (as firmly as under our great-
 " seal, to all intents and purposes) authorise, and give you
 " power, to treat and conclude, with the confederate Ro-
 " man catholics in our kingdom of Ireland, if upon ne-
 " cessity any be to be condescended unto, wherein our lieu-
 " tenant cannot so well be seen in, as not fit for us at the
 " present publicly to own: therefore we charge you to
 " proceed according to this warrant, with all possible se-
 " crecy: and for whatsoever you shall engage yourself,
 " upon such valuable considerations, as you in your judg-
 " ment shall deem fit, we promise, on the word of a king,
 " and a christian, to ratify and perform the same that shall
 " be granted by you, and under your hand and seal; the said
 " confederate catholics, having, by their supplies, testified
 " their zeal to our service. And this shall be, in each par-
 " ticular to you, a sufficient warrant."

*Given at our court at Oxford, under our signet, and royal
 signature, the 20th day of March, in the twentieth year
 of our reign, 1644.*

The date of this warrant is remarkable, for it was at a time when the king's affairs did not seem absolutely to require his employing the Irish catholics. In the foregoing campaign, he had gained a signal advantage over the earl of Essex, with all the western counties. He had fought a battle at Newbury, which had not procured his enemies any real advantage, and on the contrary, had shown in the affair of Dennington, that he believed to have no reason to fear them. It was just after the treaty of Uxbridge, where he did not think himself under a necessity of making any concessions. In a word, it was at a time when the parliament, by reason of the ill success of their arms, were labouring to new-model their army. It cannot therefore be said, that the king was driven by despair, to make use of the assistance of the Irish. It is rather very easy to perceive, it was solely to increase the superiority he then had over the parliament.

By virtue of this warrant, the earl of Glamorgan concluded a treaty with the popish bishops, concerning the clergy-livings. This was a preliminary treaty, upon which the bishops made the following instrument:

" Whereas in these articles touching the clergy-livings,
 " the right honourable the earl of Glamorgan, is obliged
 " in his majesty's behalf, to secure the concessions in these
 " articles by act of parliament: we holding that manner of
 " securing

“securing those grants, as to the clergy-livings, to prove
 “more difficult and prejudicial to his majesty, than by do-
 “ing thereof, and securing those concessions otherwise, as
 “to the said livings, the said earl undertaking and promi-
 “sing, in the behalf of his majesty, his heirs, and succeſ-
 “sors, as hereby he doth undertake, to settle the said con-
 “cessions, and secure them to the clergy, and their respec-
 “tive successors, in another secure way, other than by par-
 “liament, at present, till a fit opportunity be offered for
 “securing the same; do agree, and condescend thereunto:
 “and this instrument by his lordship signed, was before the
 “perfecting thereof intended to that purpose, as to the said
 “livings, to which purpose we mutually signed this in-
 “dorsement: and it is further intended, that the catholic
 “clergy shall not be interrupted by parliament, or other-
 “wise, as to the said livings, contrary to the meaning of
 “these articles.”

CHAR. I.
1645-6.

GLAMORGAN.

The earl of Glamorgan added also the following protesta-
 tion or oath:

“I Edward earl of Glamorgan do protest, and swear,
 “faithfully to acquaint the king’s most excellent majesty
 “with the proceedings of this kingdom, in order to his
 “service, and to the endearment of this nation, and punc-
 “tual performance of what I have (as authorised by his
 “majesty) obliged myself to see performed; and in default,
 “not to permit the army intrusted to my charge to adven-
 “ture itself, or any considerable part thereof, until condi-
 “tions from his majesty, and by his majesty be performed.”

Sept. 3, 1645.

GLAMORGAN.

*The substance of the treaty between the earl of Glamorgan, and
 the confederate Irish catholics.*

IT was said in the beginning of the treaty, that much time
 had been spent in meetings and debates betwixt James
 marquis of Ormond lord-lieutenant of Ireland, and the
 commissioners of the catholic council of Kilkenny, for the
 treating and concluding of a peace; and thereupon many
 difficulties arising, the earl of Glamorgan was entrusted and
 authorised by his majesty, to grant and assure to the said
 confederate catholics, further grace and favours, which the
 said lord-lieutenant had not as yet, in that latitude as they
 expected, granted unto them; in pursuance therefore of his
 majesty’s authority, under his signature royal and signet,
 bearing date at Oxon the 12th day of March, in the 20th
 year

CHAR. I. year of his majesty's reign:---" It is accorded and agreed
1645-6. " between the said earl of Glamorgan, for and on the be-

" half of his majesty, and Richard lord viscount Mount-
" garret president of the supreme council at Kilkenny,
" Donough lord viscount Muskerry, &c. commissioners
" appointed by the confederate Roman catholics:

" I. That all the professors of the Roman catholic reli-
" gion in Ireland shall enjoy the free and public use and
" exercise of their religion.

" II. That they shall hold and enjoy all the churches by
" them enjoyed within that kingdom, or by them possessed
" at any time since the 23d of October 1641, and all other
" churches in the said kingdom, other than such as are now
" actually enjoyed by his majesty's protestant subjects.

" III. That all the Roman catholics shall be exempted
" from the jurisdiction of the protestant clergy, and that
" the Roman catholic clergy shall not be punished or mo-
" lested, for the exercise of their jurisdiction over their re-
" spective catholic flocks.

" IV. That the following act shall be passed in the next
" parliament to be holden in Ireland. [*Here is inserted the*
" *form of an act for securing all the king's concessions to the*
" *catholics.*]

" V. That the marquis of Ormond, or any others, shall
" not disturb the professors of the Roman catholic religion
" in the profession of the articles above specified.

" VI. The earl of Glamorgan engages his majesty's word
" for the performance of these articles.

" VII. The public faith of the kingdom shall be engaged
" unto the said earl by the commissioners of the confederate
" catholics, for sending ten thousand men by order of the
" general-assembly at Kilkenny, armed the one half with
" musquets, and the other half with pikes, to serve his
" majesty in England, Wales, or Scotland, under the com-
" mand of the earl of Glamorgan."

Signed the 25th of August 1645.

Moreover, the Irish commissioners engaged their word
and the faith of the supreme council of Kilkenny, that two
thirds of the clergy's revenues should be employed for the
space of three years, towards the maintenance of the ten
thousand men, the other third being reserved for the clergy's
subsistence.

Rushworth, This treaty, though made very secretly, was however
VI. p. 239. discovered by an extraordinary accident. The archbishop
of Tuam, president of Connaught, going into Ulster about
some

some affairs, met with a body of Irish troops marching to CHAR. I, besiege Sligo and joined with them, whether for security's 1645-6. sake or some other design *. When they came near Sligo, the garrison made a sally, charged the troops that were come to besiege them, utterly routed them, and killed the archbishop of Tuam. In his pockets it was that authentic copies, attested and signed by several bishops, were found, of the fore-mentioned treaty, and of the king's warrant to the earl of Glamorgan, which were sent to the parliament. Ochoz. 17.

The marquis of Ormond, the lord Digby then in Ireland, and some others having soon heard that the secret was discovered, found no better expedient to clear the king, than to arrest the earl of Glamorgan, for having, in a presumptuous manner, worthy of severe punishment, exceeded his orders, and concluded a treaty with the Irish. This is what the king also insinuated in his message to both houses of the 19th of January 1645-6. Id. p. 240. Ludlow. T. I. p. 163.

Rushworth has inserted in his collections two intercepted letters of the earl of Glamorgan, one to his countess dated in January, acquainting her that his imprisonment did not give him much uneasiness. In the other of the 26th of February, directed to the king, he told him, that he was at Waterford providing shipping to transport six thousand foot immediately, and that four thousand more were to follow them by May *. These troops came, not however into England, probably by reason of the change in the king's affairs, which were in a melancholy situation after the battle of Naseby. All his towns were taken one after another. The Scots were now before Newark, and general Fairfax having reduced all the west to the obedience of the parliament, was preparing to besiege the king in Oxford. Rushworth. V. p. 246. 249.

Whilst

* He attended the army at this time to visit his diocese, and put in execution an order for the arrears of his bishopric, granted to him by the council of Kilkenny. Rushworth, Tom. VI. p. 239.

* This letter to the king, with the lord Digby's narrative of his proceedings against the earl of Glamorgan, &c. came to the parliament's hands in the following manner: whilst Fairfax was in Cornwall hemming in the lord Hopton, a ship came into Padstow from Ireland, not doubting but to have been well received; whereas the town's people, with the help of some parlia-

ment dragoons, seized and boarded her. The captain, one Allen of Waterford, had thrown a packet of letters over-board, which were found floating on the water and carried to Fairfax, who found, amongst others, the letter and narrative above-mentioned. These letters being shewed and read to the people of the county, who were summoned to appear on the downs by Bodmin, made great impression on them, so that many of them offered to assist in blocking up all passages, to prevent the royal cavalry from breaking through. Rushworth, Tom. VI. p. 104.

CHAR. I. Whilst the king was in this melancholy state; the court 1645-6. of France sent Montreuil into England, on pretence of pro-

curing a peace between the king and the parliament: but their real intention was, that Montreuil should endeavour a private agreement between the king and the Scots⁵. This could not be done without the king's entirely forsaking the bishops, and consenting to the establishment of the presbyterian-government in the church of England. The court of France and the queen of England hoped, this project would succeed the more easily, as it was agreeable to good policy and the king's interests. The king would thereby have gained not only the Scots, who had a strong army in England, but also the city of London and the majority of the members of parliament, who, for the most part, insisted upon the other points in dispute only to obtain this the more easily. This was properly the sole means of balancing or surmounting the great power of the independents, who were in a manner masters of the army. If the king had taken this course, it is very evident, it would have turned greatly to his advantage: whereas, at the time it was proposed to him, he was entirely without remedy. But his zeal for episcopacy would not suffer him to accept of such an overture; and he told Montreuil, he would never consent to it. About the same time the queen sent Sir William Davenant to persuade the king to join with the presbyterians, as the only means to free himself from his sad condition. The moment Davenant offered to speak to him, he commanded him to hold his tongue, and never more appear in his presence.

The court of France sends Montreuil to London. Clarendon, T. II. p. 577.

He proposes to the king to join with the presbyterians.

The king rejects the proposal. Clarendon, T. II. p. 579, 580, and III. p. 24.

Negotiation of Montreuil's, between the king and the Scotch army. Clarendon, T. II. p. 579, 580.

Mean while, Montreuil at his arrival in England being possessed with the notion, that the king would not refuse the course, which was to be proposed to him, had made some overtures to the Scotch commissioners residing in London, and found them inclinable to treat with the king: but after he had spoke and writ to his majesty several times, he found him immoveable. The Scots, on their part, being no less inflexible, constantly refused to promise the king any assistance, unless he consented to the abolition of episcopacy⁷.

Whilst

⁵ The lord Clarendon affirms, That the Scots were under terrible apprehensions of being disappointed of all their hopes, by the prevalence of the independent army, and therefore wished for nothing more, than an opportunity to make a firm conjunction with the king.

⁷ The Scots produced a writing

signed by the queen, wherein were such expressions, as did not please the king, and made him look upon that negotiation, as rather a conspiracy against the church, between the catholics and presbyterians, than as an expedient for his restoration or preservation. Clarendon, Tom II. p. 579.

Whilst the affair was delayed by this difficulty, and Montreuil gone to the Scotch army before Newark, to try to find some medium favourable to the king, Fairfax was advancing with his army, so that the king was in danger of being inclosed in Oxford. The king's principal concern was then to deliver himself from this imminent danger. Though he had till that time demurred upon going to the Scotch army, on account of the forementioned difficulty, he saw however no other remedy when the danger approached. The Scotch officers had made him some general promises, founded probably upon their hopes of his consenting at last to their demands. He sent them word of his intention to come to their army, and they promised to receive him and provide for his safety. He had not time, doubtless, to make a more particular treaty. At least, it is not known to this day upon what terms the king put himself into the hands of the Scots, and on what conditions they received him. However, the king having no time to lose, that he might not be invested in Oxford, departed privately, and came to the Scotch army, the 5th of May, 1646.²

CHAR. I.
1645-6.

Idem. III.
p. 13.

Id. p. 13, 14.

The king
goes to the
Scotch
army.
Id. p. 17.

The king had, on the 13th of April, imparted by letter to the marquis of Ormond his design to throw himself into the arms of the Scots, in these words: "Having lately received very good security that we and all that do or shall adhere to us, shall be safe in our persons, honours, and consciences, in the Scottish army; and that they shall really and effectually join with us, and with such as will come in to us, and shall employ their armies and forces to assist us to the procuring of a happy and well grounded peace

Rushworth,
VI. p. 268.

² According to the lord Clarendon, the king was not resolved, when he left Oxford, whether he should go to London or the Scotch army. He says, the king went away the 27th of April, attended only by John Ashburnham, groom of his bed-chamber, and one Mr. Hudson a divine, who understood the by-ways. It was nine days after his leaving Oxford before it was known where the king was. It seems the king had wasted that time in several places, purposely to be informed of the condition of the marquis of Montrose, and to find a secure passage to get to him, which he exceedingly desired. Clarendon, Tom. III. p. 17. — Hudson, upon his examination, said, That the king crossed the country, was

at Henley, Brentford, and Harrow on the Hill, where he stayed some time, and was almost persuaded to come to London; and then he went to St. Albans, and so to Harborough in Leicestershire, where the French agent was to have met him with some horse, to conduct him to the Scots army, but came not; from thence the king went to Stamford, where he lay one night; and from thence to Downham in Norfolk, where he stayed at a petty ale-house, from April 30 to May 4; that he passed sometimes by the name of Hudson's tutor, sometimes doctor, and sometimes as Ashburnham's servant. Whitelock, p. 209. Rushworth, Tom. VI. p. 267. Heath, p. 99.

CHAR. I. "peace--- If it shall please God that we come safe thither,
1646. "we are resolved to use our best endeavour, with their as-
sistance, and with the conjunction of the forces under the
marquis of Montrose, and such of our well-affected sub-
jects of England as shall arise for us to procure, if it may
be, an honourable and speedy peace."

Rushworth,
VI. p. 272.

The marquis of Ormond sent a copy of this letter to general Monroe, who commanded the Scotch troops in Ireland, and Monroe communicated the same to the commissioners of the parliament in Ulster, by whom copies of the letter, as printed at Dublin, were sent over to both houses, and it was read in the house of commons on Saturday June the 9th. Whereupon, on the Monday following, the Scotch commissioners delivered a declaration to the house of peers, positively denying, that their army had made any treaty with the king to assist him. Thus we see on one side, the king affirming he had received very good security that the Scots would declare for him; and on the other, the commissioners of Scotland denying that their army had made any treaty with the king to assist him.

In all probability, the Scotch commissioners and the general officers of their army had given Montreuil hopes, they would declare for the king, but on condition he would renounce episcopacy; without which condition, it is not easy to conceive, that the commissioners or officers should have made such a promise, which was not in their power; since they could not engage contrary to the express tenor of the covenant, and without positive orders from those who governed Scotland. Wherefore, it could only be hopes, and those conditional, which the king preposterously took for assurances, and which Montreuil, perhaps, confounded as well as he. It is true, the earl of Clarendon cites a paper signed by Montreuil, wherein he says, "I do promise in the name of the king and queen (my master and mistress) and by virtue of the powers I have from their majesties, That if the king of Great-Britain shall put himself into the Scottish army, he shall be there received as their natural sovereign, and shall be with them in all freedom of his conscience and honour--- And that the Scots shall employ their arms and forces to assist his majesty in the recovery of his just rights, &c."

April 1.
Clarendon,
III. p. 13.

But it must be observed, there is not in this paper a single word to show that Montreuil was impowered to make this promise, either by the commissioners, or the general officers, or the parliament of Scotland: nay, it does not so much as appear

appear that he was accepted for mediator in the affair; that besides, he could not engage the authority of the king of France and the queen-regent to make such a promise, unless he was furnished with a treaty, which however has never appeared. The lord Clarendon intimates, that Montreuil had the word of the principal officers of the Scotch army, but that afterwards, finding them grown cold, he writ to the king, to dissuade him from venturing his person among them. Indeed it is hard to conceive that Montreuil should sign such a promise without being authorized. But on the other hand, is it likely that, if he had been authorized by a treaty or other warrant, he would not have mentioned it in his paper?

But what seems still more impossible, is, that the Scots should promise without condition, as this engagement intimates, contrary to the tenor of the covenant between the two nations, since the king would not so much as hear of the abolition of episcopacy. There must therefore have been some mistake in the negotiation carried on by Montreuil's mediation, and the king and the mediator must have taken, for positive assurances, promises which were conditional only, as appears in the king's letter to the marquis of Ormond, and the solemn denial of the Scots. However this be, Montreuil was recalled and disgraced, and, as there is reason to believe it was for engaging the word and honour of the king his master, and the queen-regent, upon so trifling a foundation, The lord Clarendon, probably, to hinder the king from being blamed for putting himself into the hands of the Scots too hastily, and without good security, says, this envoy's disgrace was an artifice of cardinal Mazarin, who had a mind to conceal the insincerity of the court of France. I own I cannot comprehend the meaning of these words. But if it be true, that Montreuil was not authorized to promise what he did, as it does not appear that he was, I don't see any occasion to seek for other cause of his disgrace.

The king being come to the Scotch army *, which had been before Newark ever since November, the general presented to him, that it would be proper, for the safety of his person, for the army to march northward, near the borders of Scotland. But as this could not be done before the taking of Newark, he desired him to order the town to surrender. The king persuaded by this reason, gave orders to

Z. 2

the

* The parliament receiv'd, on May 6, intelligence of the king's repairing to the Scots army, and thereupon immedi-

ately writ, That his majesty should be sent to Warwick-castle. Rushworth, Tom. VI. p. 253.

CHAR. I. the lord Bellasis the governor to surrender Newark, which
1646. was done accordingly; and immediately after the army began
to march and came with the king to Newcastle.

who carry
him to New-
castle.

May 7, 23.

The king's
message to
both houses.

Rushworth,
VI. p. 274.

May the 18th, the king sent a message to both houses, re-
commending to them the speedy settling of religion, and the
taking to that end the advice of the divines of both kingdoms
assembled at Westminster.

Concerning the militia, he agreed that the two houses
should name all the commissioners for that trust for the space
of seven years, and after the expiration of that term, a regu-
lation should be made by the king and both houses.

He offered the like for the kingdom of Scotland.

Concerning the wars in Ireland, he said in general, he
would do whatever was possible for him to give full satis-
faction therein.

In a postscript, he offered to disband his forces at Oxford;
and consent that the fortifications of that city should be de-
molished, provided honourable terms were granted to the gar-
rison, which done, he would give the like order to the rest
of his garrisons.

The king
writes to
the city of
London.
Ibid.
Another
message.

The next day, the king writ to the city of London, to
acquaint them, that he was ready to comply with the par-
liament in every thing.

June the 10th, he pressed the two houses by another mes-
sage, to send their propositions for peace, that he might give
them all just satisfaction; and desired again the liberty to come
to London and treat in person with them^b.

Ibid. p. 300.

The 25th of the same month, the Scotch commissioners
presented a memorial to the parliament, whereby they con-
sented, that the propositions for peace, which had been com-
municated to them, should be sent to the king, with pro-
testation however, that they were not all agreeable to their
sentiments. They desired also, that money might be sent
to their troops both in England and Ireland, their accounts
stated, and all armies speedily disbanded.

Mean

^b The parliament, in their debates
about the propositions for peace to be
sent to the king, voted, That Sir
Thomas Fairfax should be made a ba-
ron, and have 5000 l. a year settled on
him; and his father made an earl.
Oliver Cromwell a baron, with 2500 l.
per annum. The earls of Northum-
berland, Essex, Warwick, and Pem-
broke, be made dukes. The earls of
Salisbury and Manchester, marquises,

The lords Roberts, Say, Willoughby
of Parham, Wharton, and Howard,
earls. Mr. Holles, a viscount. Sir
Henry Vane, senr. a baron. Sir Wil-
liam Waller, a baron, with 2500 l.
per annum. Sir Arthur Haslerigge,
and Sir Philip Stapleton, barons, with
2000 l. per annum each. Sir William
Brereton, to have 2500 l. and Skip-
pon, 2000 l. per annum. Whitlock,
p. 182, 182.

Mean while, the Scotch army at Newcastle, understand- CHAR. I.
ing it was reported at London, that they had made a treaty: 1646.
with the king to assist him against the parliament, published
a declaration, protesting, it was always their intention to } The Scots
maintain the covenant between the two kingdoms, and that } deny the
they abhorred all public and private ways tending to violate } having made
the same, or to create a misunderstanding between the two } a treaty with
nations. At the same time, they presented a petition to the } the king.
king, beseeching him to take a speedy course for settling of } Id. p. 303.
religion in England; according to the example of the best } 304.
reformed churches, and for establishing the privileges and
liberties of his kingdoms; expressing their great grief for his
not having yet authorized and signed the covenant^c. They
also prayed him to comply with the counsels of his parliament. p. 304
The king returned to this petition a general answer, without
entering into particulars.

The general assembly of the kirk of Scotland writ like- June 18.
wise to the parliament of England, the city of London, the } Id. p. 306.
assembly of divines, to desire them to promote the work of } 308.
reformation, according to the tenor of the covenant.

July the 6th, the house of commons voted, That England } Vote, that
had no further need of the Scotch army, and that the com- } the Scotch
missioners of Scotland should be desired to withdraw their } army is no
forces. } longer ne-
 } cessary.

Some days after, the two houses sent^d propositions for } Id. p. 306.
peace to the king at Newcastle, which were little different } p. 309.
from those debated at Uxbridge. Wherefore I do not think } Whitelock,
it necessary to repeat them. I shall content myself with re- } p. 215-
lating the thirteenth article, being an addition to the former
claims of both houses with respect to the militia :

“ That during the space of twenty years, the two houses } The propo-
of parliament alone shall have power to arm, train, and } sitions of the
discipline the militia; and that neither the king, or his } two houses
successors, shall, during the said space of twenty years, } to the king.
exercise any power over them. } July 11.
 } Rushworth.

“ The like for the kingdom of Scotland, if the estates of } VI. p. 312
the parliament there shall think fit.

“ That moneys be raised for the maintenance of the said
forces for land-service, and of the navy, as the lords and
commons shall, during the said space of twenty years,

Z 3

“ think

^c The author's words are, “ They
“ prayed him to sign the covenant,”
but it is in the petition as in the trans-
lation. See Rushworth, Tom. VI.
p. 304.

^d The commissioners for the house

of lords, were, the earls of Pembroke
and Suffolk; and for the commons,
Sir John Danvers, Sir John Hippsley,
Mr. Robinson, and Sir Walter Earle.
Whitelock, p. 214.

CHAR. I. "think fit; and that the said forces be employed, ordered,
1646. "and disposed, as the two houses shall appoint, and not
"otherwise: that they shall have power, 1. To suppress all
"forces raised without their authority and consent. 2. To
"suppress all foreign forces, who shall invade any of the
"English dominions, . 3. To conjoin the forces of England
"with those of Scotland.

"That after the expiration of the said twenty years, no
"person, under any pretence whatsoever, shall any way
"dispose of the English forces, without the consent of both
"houses.

"That after the said twenty years, if any bills are passed
"by the lords and commons, for the safety of the kingdom,
"and the royal assent is not given to them within such time
"as the house of peers shall judge convenient; that such
"bills shall nevertheless be as valid to all intents and pur-
"poses, as if the royal assent had been given thereunto."

Id. p. 319.

The parliament's commissioners presented these propositions
to the king the 24th of July; and as they declared to him,
they were limited not to stay above ten days at Newcastle,
the king gave them his answer the first of August.

p. 320.

Clarendon,

lib. p. 97.

"That the propositions tendered to him did import so
"great alterations in government, both in the church and
"kingdom, that it was very difficult for him to return a
"particular and positive answer to them, before a full debate,
"wherein those propositions, and the necessary explanation,
"true sense, and reasons thereof, were rightly weighed and
"understood; which he found the commissioners were not
"authorized to admit, nor able to give him. That he de-
"sired to come to London, with freedom, honour, and
"safety, where he might have those doubts cleared, and
"those difficultjes explained to him. *That he assured them,*
that as he could never condescend to what was absolutely de-
structive to that just power, which, by the laws of God and
the land, he was born unto, so he would cheerfully grant
and give his assent to all such bills, as should be really for the
good and peace of his people, not having regard to his own par-
ticular."

The Scots
press the
king to ac-
cept the pro-
positions.
Kushworth,
VI. p. 319.
Clarendon,
lib. p. 28.
W. Lock,

Before the king delivered his answer to the parliament's
commissioners, the earl of Loudon, lord-chancellor of Scot-
land, made a speech to him, to persuade him to accept the
propositions. His reasons were the stronger and more pres-
sing, as drawn from the necessity the king was in. But his
majesty was not pleased to take his advice. This answer
being

being read in the parliament the 12th of August, was the **CHAR. I.**
cause of great joy to those who wished not for peace. 1646.

The same day, the Scotch commissioners presented a memorial to the lords, offering to send their army into Scotland, upon reasonable satisfaction for their pains, hazards, charges and sufferings. They also said, since his majesty had not agreed to the propositions presented to him, it was necessary to consult with them what was to be done, as well concerning the king's person, as the peace and safety of the two kingdoms. Both houses returned them thanks, and appointed a committee to examine their accounts.

Some days after, they delivered in an account of arrears, amounting to two millions. The parliament disputed several articles, and deducted such sums as the Scots had received. The Scots allowed the justice of some of these deductions, but could not agree to others. At last, after many debates, the Scots offered to accept of a sum in gross, for a full discharge of their arrears. Whereupon they were asked, what sum they demanded, and at first they insisted upon five hundred thousand pounds. The house of commons offered two hundred, and afterwards three hundred thousand pounds. At length, the Scots abating one hundred thousand pounds of their demand, it was agreed to allow them four hundred thousand, one half to be paid upon their removal out of the kingdom, and the other at certain times. This is the fatal bargain, whereby it is pretended, the Scots sold the king to the parliament of England, because indeed they delivered him up some months after. But it must be observed, that this is only a suspicion, a bare conjecture, and if it be true, that the Scots, when they agreed upon

The Scotch
army offer to
return home.
Rushworth,
VI. p. 322.

Disputes about arrears
due to the
Scots.
Rushworth,
VI. p. 323.
— 326.
Ludlow.
T. I. p. 174.
Holles's
Mem.
p. 64, 66.
Whitelock.

It is agreed,
to allow
them,
400,000 l.

Warwick.
Coke.
Remark on
its being
said, that
the Scots
sold the
king.

Z 4

* A little after the king's coming to Newcastle, a Scotch minister preached boldly before him, and when his sermon was done, called for the fifty-second psalm, which begins, "Why dost thou, tyrant, boast thyself, thy wicked works to praise." Whereupon his majesty stood up, and called for the fifty-sixth psalm, which begins, "Have mercy, Lord, on me, I pray, for men would me devour." The people waved the minister's psalm, and sung that which the king called for. Whitelock, p. 270.—Whilst the king was at Newcastle, Henderson came and much importuned his majesty to pass the propositions; but his majesty affirming, he could not in conscience consent to several things therein, especially to the change of church-go-

vernment, from the ancient order of episcopacy, several papers passed between his majesty and him, which shew the king's great abilities in those controversies, being at a time when he could not have the assistance of any of his chaplains. Henderson returning to Edinburgh, died soon after, on August 31. He was, says Whitelock, a person of a sober conversation and good learning. Whitelock adds, "some said he died of grief, because he could not persuade the king to sign the propositions," p. 221. He was more moderate, says Rushworth, than many of them, Tom. VI. p. 321.

† They acknowledged the receipt of but 700,000 l. in monies, provisions, assessments, quarters, and otherwise. See Rushworth, Tom. VI. p. 323.

CHAR. I. upon this sum of four hundred thousand pounds, obliged themselves to give up the king to the parliament, which I will neither affirm nor deny, at least, they acted with so much address, that there appeared no express proof of it. No treaty, no paper, concerning this affair ever came to the knowledge of the public. The sum was promised them for arrears due to their army, from the 18th of January 1643-4, to the 18th of September 1646. If it could be provided, that in all that time the Scotch army had been regularly paid, according to the treaty between the two nations, and that no arrears were due to them, this, doubtless, would be a confirmation of the aforementioned suspicion. But this proof is very difficult. For if on one side, the Scots, to mount the debt of five hundred thousand pounds, inserted in their accounts several unjust articles, which ought to have been abated, the English on their side, acted with no less injustice, in pretending to make unfair deductions. This appears by the particulars of the accounts brought in by both parties, which are to be seen in Rushworth's Collections. Nay, it seems, if the English had been desirous to conceal the secret motives of this bargain, they should not have disputed the debt, since nothing would have been more proper to remove the suspicion of their giving this sum to the Scots, to engage them to deliver up the king, than to show it was really due to them for arrears.

Rushworth,
Vl. p. 323,
324, 326.

Another
Remark.

Another, and no less important, remark may be made upon this subject. The thing that has rendered odious this pretended sale of the king's person, is the tragical death of that prince, of which it was the occasion. But it must be considered, it was so only by accident. Nothing was at that time farther from the thoughts, both of the parliament and the Scots, than putting the king to death. The independents, mortal enemies of the king, Scots, and presbyterians, were the men who twice took away the king from the parliament, by means of the army, and cut off his head, at the very time the parliament and Scots were heartily labouring to restore him, as will hereafter appear. If therefore this pretended sale, supposing it real, was the occasion of the king's death, it may be affirmed, it was the innocent occasion, and its effects ought not to be imputed to the parliament, such as it was at that time, since it is certain, neither both houses, nor the Scots, did then carry their views so far, nor could possibly foresee what afterwards happened. But, as I said before, it can by no means be proved, that the Scots did indeed sell the king to the English.

lish. We shall see presently, the reasons why the Scots CHAR. I.
2646. would not take charge of the king's person.

In the beginning of September, the duke of Hamilton, who had been released out of Michael's Mount in Cornwall, upon the parliament's taking that place, came to Newcastle, with some other Scotch commissioners, and earnestly pressed the king to accept the propositions for peace. If the Scots had bargained, by a secret treaty, to give up the king to the parliament, this proceeding seems to have been prejudicial to them, since the king's compliance would have voided their bargain with the English, and deprived them of the promised sum.

Hamilton presses the king to yield to the propositions. Id. p. 327. Burnet's Mem. Ham. p. 285.

The king answered the duke, and the other commissioners, "That he only desired to be heard, but could not obtain his desire. That he did not give a denial to the propositions, but only desired to be rightly informed of what was demanded, and that his reasons might be heard."

The king's answer. Rushworth, VI. p. 327.

In another answer given them in writing the next day, he said, "He should be content to restrain episcopal government to some few dioceses, at Oxford, Winchester, Bristol, Bath and Wells, and Exeter; leaving all the rest of England fully to the presbyterian government, with the strictest clauses they should think upon against papists and independents. In a postscript, he required them, to give a particular account of this offer to the general assembly in Scotland; assuring them, that he would punctually make good his last letter to them. And hoped, that they, as churchmen, would not press him to comply with what was against his conscience, till he should have leisure to be better informed."

p. 328. Burnet's Mem. p. 285, 286.

This answer was a plain intimation, that when the king said, he desired to be heard, it was only a pretence to have liberty to come to London, to cause, if possible, the propositions to be altered. We see also by this answer, that he considered the affair of church government, as the principal and most difficult point. In a word, his offer shows he was very hard pressed, since he agreed, that presbyterian government should be established throughout the whole kingdom, a few dioceses excepted.

Some time after, he sent a letter to the duke of Hamilton, Rushworth, VI. p. 329. Burnet's Mem. p. 289. (who was now retired, finding the king immovable) telling him, that the two houses thought of getting him into their hands, by saying, they did not intend to make him a prisoner, but only to give him an honourable guard; but
for

CHAR. I. for his part, he would not be left in England, when the
 1646. Scotch army retired, without a visible force upon his person.
 Probably therefore, when he demanded leave to come to
 London to treat in person with both houses, he meant, that
 he should remain at perfect liberty^s. Perhaps he intended
 to escape into France, or elsewhere. But how could he
 imagine, he should be left at perfect liberty, on the bare
 presumption, that a negotiation with him would be suc-
 cessful?

Conferences
 about the
 manner how
 to dispose of
 the king's
 person.

Q. Rob. 1.
 Rushworth,
 VI. p. 329.

At last, on the 18th of September, it was voted, that the
 king's person should be disposed of as both houses of parlia-
 ment should think fit. But as he was not properly in their
 power, they appointed a committee to confer with the com-
 missioners of Scotland upon that head.

R. p. 342.
 &c.

In one of these conferences, the lord Loudon, chancellor
 of Scotland, endeavoured to show, that one of the two king-
 doms had no more right than the other, to dispose of the
 king's person, because he was equally king of both, and that
 besides they were united in the same interest by their cove-
 nant. The English commissioners answered, That the king
 being in England, it belonged to the English to dispose of
 his person, and though he had retired to the Scotch army,
 that army being only auxiliaries, and in the pay of England,
 it was the same as if he had retired to the parliament's army,
 whereof the Scotch forces were a part.

Q. Rob. 6.

In another conference, the same lord strenuously conti-
 nued to prove, the principle advanced by him in the former,
 namely.

R. p. 331.

“ That the disposing of his majesty's person did belong to
 “ both kingdoms, and therefore, that he ought not to be
 “ disposed of by any one of the kingdoms, but by joint ad-
 “ vice of both. He explained the word *dispose*, which was
 “ liable to be misunderstood: and said, he meant thereby,
 “ either that his majesty should be put under restraint, or
 “ be at freedom with honour and safety. As for the way
 “ of restraint, he said, he looked upon it as a remedy more
 “ dangerous than the disease, and as a means to draw the
 “ war of foreign kings upon the nation, (especially the
 “ prince being in other kingdoms) rather than to quiet the
 “ troubles at home. And therefore he concluded, that he
 “ would lay aside the way of restraint, and speak of the
 “ way which might be with freedom, honour, and safety;

“ and

g. His words in the letter to Hamilton
 are, “ Unless I may remain a free man,
 “ and that no attendant be forced up-

“ on me upon any pretence whatso-
 “ ever.” See the letter, Rushworth,
 tom. 6. p. 329.

“and that could be no other, but that his majesty should go
 “into Scotland, or come to his parliament, or some of
 “his houses about London. His going into Scotland, he
 “observed, was full of dangers and inconvenience to both
 “kingdoms: for the Irish, banded with a crew of malig-
 “nants, possessed the mountains and highlands, which were
 “the strong-holds, and never-conquered parts of that king-
 “dom. That they had not laid down their arms, but kept
 “in a body together; and they were so near Ireland, as
 “the forces of the rebels there might in two or three hours
 “space come over and join with them; and Scotland not
 “being able to keep and entertain armies long, the king
 “being there, might raise such forces in that kingdom, as
 “might make way quickly into England. And therefore
 “his majesty’s going into Scotland being of most dangerous
 “consequence to both kingdoms, he offered to their lord-
 “ships consideration, his majesty’s coming to London, or
 “some of his houses thereabouts.” The principal reason on
 which he grounded his opinion, was the same as the king
 himself had alledged. “That he had not refused his assent
 “to the propositions, but only desired to have his doubts
 “cleared, and difficulties explained.”

But in this reasoning there was a material defect, which
 must have been visible to all. And that is, the chancellor
 supposed, the king should not be put under restraint, but left
 at full liberty in Scotland, at London, or some one of his
 houses; which certainly was very far from the thoughts of
 the person that spoke, of the Scots, and of the parliament of
 England. In building therefore upon so wrong a founda-
 tion, the lord Loudon could not expect that his reasoning
 should be considered as of much weight, if he had not been
 to deal with men whose interest it was to feign, they thought
 it very solid.

Nothing seems more apt to confirm the suspicion of the
 Scots being engaged to deliver the king to the parliament,
 than this artifice of the lord Loudon to that end. For tho’
 he supposed, the king would be in one of his houses with
 honour and safety, he knew the contrary, and that the par-
 liament would always be master of his person. Consequent-
 ly it was the same thing as delivering him to the parliament,
 the condition that he should be there with honour and safety,
 being only dazzling terms, to which the parliament might
 always give what sense they pleased. But it must be con-
 sidered, this is not a real proof, but a bare conjecture, which
 even seems to be destroyed by what happened shortly after.

The

CHAR. I. The commissioners of Scotland having caused an account of
1646. what passed at these conferences to be printed, with the

speeches to prove that England had no more right than
Rushworth, Scotland to dispose of the king's person, the commons were
VI. p. 326. so offended at it, that they ordered all the copies to be seized,
Whitlock, and the printer committed. They made likewise a long answer to the account of the Scots, and sent it to the Scotch commissioners, who refused to receive it, because it came only from one of the two houses; but the commons ordered it to be printed and published. If it be true that the Scots had engaged to deliver the king to the parliament for the sum of four hundred thousand pounds, nothing was more preposterous than this dispute, which was mixed with great bitterness, unless it is supposed, the parliament and Scotch commissioners had agreed together to act this sort of farce.

This dispute, real or feigned, hindered not the Scotch army from preparing to return home. But as they were to be paid two hundred thousand pounds, before they began their march, they might yet have staid several weeks in England, had not the city of London engaged to advance that sum. It was however upon two conditions; the first, that the lenders should have 8*l. per cent.* interest for their money; and that the payment of the principal should be secured out of the receipts of the grand excise, and the sale of bishops-lands.^h
Rushworth, VI. p. 326, 327. For this reason both houses made haste to sequester these lands, and appoint a committee to expose them to sale.ⁱ

M. p. 373,
Whitlock,

Debates in
Scotland
about the
king's person.

Resolution
of the parliament there
upon.

Rushworth,
VI. p. 390.
Burnet's
Mem.

p. 294, &c.
306.

The 16th of December, the parliament of Scotland took into consideration what was to be done with the king's person. After great debates, it was at length resolved, that the commissioners residing at London should demand of both houses, from the parliament of Scotland, that the king might return to London with honour and safety: that they should declare to them, that the parliament of Scotland was resolved to support monarchy in the person of the king and his just title to the crown of England. This resolution seems directly contrary to the engagement to give up the king to the parliament.

But

^h The other condition was, That such as had formerly contributed upon the propositions for horse, monies, and plate, might advance the like sum upon this proposition, and be secured as above. Rushworth, Tom. VI. p. 326.—At the same time that the bishops lands were given in as security for the repayment of the aforesaid sums, the whole order of archbishops and bishops

was abolished, by an Ordinance of October 9.

ⁱ Money came in so fast upon those securities, that the whole sum of 200,000*l.* was made up by the 17th of November; and on the 15th of December, it was sent out of London in thirty-six carts. Rushworth, Tom. 6, p. 329.

But the next day the commissioners of the general-assembly CHAR. D
 bly presented to the parliament a paper, intitled, 'A solemn 1646:
 'and seasonable warning to all estates and degrees of persons
 'throughout the land,' wherein they represented the hainous The general
 crime of forsaking the covenant, and endeavouring a breach assembly are
 with England. They maintained, that such projects were against it.
 infused into some by the devil, and that they who attempted Rushworth
 to sow division between the two nations and violate the VI. p. 391.
 covenant, which was their chief strength, could not but be
 enemies to the state. Then, as to the disposal of the king's
 person, they said, that so long as his majesty did not approve
 in his heart, and seal with his hand, the league and cove-
 nant, he could not be received in Scotland without expo-
 sing the kingdom to fresh troubles. That, on the other
 hand, to dispose of the king's person without the consent of
 the parliament of England, was openly breaking the cove-
 nant, and incurring the guilt of perjury. That it was very
 true, they were engaged by the covenant to defend the king's
 person, but it was no less true, that the end of the union
 between the two nations, was to settle religion in both king-
 doms, according to the tenor of the covenant, and that these
 two engagements could not be separated. That for these
 reasons they desired, that fresh endeavours might be used to
 prevail with his majesty to give satisfaction to both king-
 doms, that he might return to his parliament of England as
 a reconciled prince to satisfied subjects, in order to establish
 a happy peace.

This paper being read in the parliament, the matter was The parlia-
 again taken into consideration, and at last after a great de- ment alter
 bate it was resolved, "that his majesty should be desired to their resolu-
 "grant the whole propositions; and in case of refusal, that tion.
 "certifications given to his majesty should be put in execu- Whitelock,
 "tion, namely, to secure the kingdom without him;" and Rushworth,
 it it was declared, "That the kingdom of Scotland cannot VI. p. 392.
 "lawfully ingage themselves for his majesty: he not taking
 "the covenant, satisfying as to religion, &c. Nor would
 "they admit him to come into Scotland, unless he gave a
 "satisfactory answer to the whole propositions lately pre-
 "sented to him in the name of both kingdoms *."

The king having notice of this resolution from the earl of The king's
 Lenerick, sent a message to both houses at Westminster, to message to
 desire again to come to London, or any of his houses there- both houses
 abouts, upon the public faith and security of his parliament for a perso-
 and nal treaty,
 Dec. 20.
 Id. p. 393.

* It was carried but by two votes king should not come into Scotland,
 in the Scots parliament, That the Whitelock, p. 236.

CHAR. I. and the Scotch commissioners, that he should be there with honour, freedom and safety, in order to have his doubts cleared, and difficulties explained: assuring them, that he would most willingly condescend to them in whatsoever should be really for their good and happiness: praying them to consider, it was their king who desired to be heard, which if refused to a subject by a king, he would be thought a tyrant for it.

Dec. 22.
Ibid.

Upon this message the lords voted, that the king might come to Newmarket, there to remain with such attendants about him, as both houses should appoint: But the commons voted, that Holmby-house in Northampton would be the fittest place for his majesty, to which the lords consented. Then it was resolved, *‘That his coming to Holmby should be with respect to the safety and preservation of his majesty’s person, and in defence of the true religion, according to the covenant’*.

Dec. 25.
Whitelock.

1646-7. The 5th of January 1646-7, a committee of both houses was appointed to go down and receive the king from the Scots^m. For though both houses had declared, he should be at Holmby with honour and safety, they meant not to leave the manner to his choice, and whatever expressions they might use, it was to be in effect a real imprisonment.

Rushworth,
VI. p. 393.
Clarendon,
III. p. 29.

Some days after, the two houses received from the parliament of Scotland, the following declaration:

Declaration
of the par-
liament of
Scotland.
Jan. 16.
Rushworth,
VI. p. 395.

“**T**HAT the king’s majesty came to their quarters before Newark, and professed he came there with a full and absolute intention to give all just satisfaction to the joint desires of both kingdoms, and with no thought either to continue this unnatural war any longer, or to make division betwixt the kingdoms; but to comply with his parliaments, and those intrusted by them, in every thing for settling of truth and peace; and that he would apply himself totally to the counsels and advices of his parliament: which he did not only profess verbally to the committee of estates with the Scottish army, but also in his several letters and declarations under his hand, to the committee of estates of Scotland, and to the two
“houses

¹ It was put to the question, whether these words, according to the covenant, should be passed, and it was carried in the affirmative. Idem, p. 232.

^m For the lords, the earls of Pembroke and Denbigh, and the lord Montague; for the commons, Sir William Armyne, Sir John Holland, Sir Walter

Earle, Sir John Cook, Mr. John Crew, and major-general Brown; but Sir William Armyne not being well, Sir James Barrington went in his room. Rushworth, Tom. 6. p. 394. They were attended by nine hundred horse. Whitelock, p. 237.

" houses of parliament of England respectively. In confi- CHAR. I.
 " dence whereof, and of the reality of his intentions and 1646-7.
 " resolutions, which he declared did proceed from no other
 " ground, than the deep sense of the bleeding condition of
 " his kingdoms; the committees of the kingdom of Scot-
 " land, and general officers of the Scottish army, declared
 " to himself, and to the kingdom of England, their receiv-
 " ing his royal person to be on these terms (which is truth,
 " notwithstanding what may be suggested or alledged to the
 " contrary, by any within or without the kingdoms) and
 " represented to him, that the only way to his own happi-
 " ness and peace of his kingdoms, under God was, to make
 " good his propositions of peace, (which after serious and
 " mature deliberation were agreed upon) tendered to him
 " in the name of both his kingdoms for his royal assent
 " thereunto; but also the chief judicatories of this king-
 " dom, both civil and ecclesiastical, made their humble and
 " earnest addresses to his majesty, by supplications, letters,
 " and commissioners for that end; and did freely represent
 " all the prejudices and inconveniences of the delay or re-
 " fusall of his assent, and in particular, that this kingdom
 " would be necessitated to join with the kingdom of Eng-
 " land, conform to the league and covenant, in providing
 " for the security of both kingdoms, and settling the go-
 " vernment of both, as might conduce most to the good of
 " both. And the parliament of Scotland being now to
 " retire their army out of England, have again, for their
 " further exoneration, sent commissioners, to represent their
 " renewed desires to his majesty, with the danger that may
 " ensue by his delay or refusal to grant the same; and that
 " till then, there was no danger to the cause, to his majes-
 " ty, to this kingdom, and to the union betwixt both the
 " kingdoms, by his coming to Scotland; and that therefore
 " there would be a joint course taken by both the kingdoms
 " concerning the disposal of his person. And considering,
 " that his majesty by his answer to the propositions of peace
 " in August last, and also by his late message sent to the
 " two houses, and by his warrant communicated to the
 " estates of this kingdom, hath expressed his desires to be
 " near to his two houses of parliament: and seeing also the
 " parliament of England have communicated to the Scottish
 " commissioners at Newcastle, and by them to this king-
 " dom, their resolution, that Holmby-house in the county
 " of Northampton, is the place which the houses think fit
 " for the king to come unto, there to remain with such at-
 " tendance

CHAR. I. "tendance about him as both houses of parliament shall
 1646-7. "appoint, with respect had to the safety and preservation of
 "his royal person, in the preservation and defence of the
 "true religion and liberties of the kingdoms according to
 "the covenant. Therefore, and in regard of his majesty's
 "not giving a satisfactory answer to the propositions as
 "yet, and out of their earnest desire to keep a right under-
 "standing betwixt the kingdoms, to prevent troubles with-
 "in the same, to satisfy the desire of his majesty, of the
 "two houses of the parliament of England, and of this
 "kingdom, for his residence in some of his houses near the
 "parliament of England: the estates of the parliament of
 "the kingdom of Scotland, to declare their concurrence,
 "for the king's majesty's going to Holmby-house, or some
 "other of his majesty's houses in or about London, as shall
 "be thought fit, there to remain until he gives satisfaction
 "to both his kingdoms in the propositions of peace; and
 "that in the interim there be no harm, prejudice; or injury,
 "nor violence done to his royal person: that there be no
 "change of government other than had been these three
 "years past: and that his posterity in no ways be prejudiced
 "in their lawful succession to the crown and government of
 "these kingdoms."

The king is delivered to the committee, and conducted to Holmby. Rushworth VI. p. 309. January the 23d the parliament's commissioners came to Newcastle, and on the 30th of the same month the king was delivered to them. That very day the Scotch army began to march towards Scotland, and the king arrived at Holmby the 16th of February.

Hitherto the presbyterians and independents had acted as in concert, because it was equally advantageous to them, or rather necessary, the king should be disabled from hurting both. When the king was reduced to his present condition, in the hands of a parliament consisting of two parties which had equally plotted his ruin, these two parties, who had till then seemed united, began to be openly divided, each plainly perceiving, this was the critical time to make the advantages gained in common upon the king, to turn to their own benefit. The presbyterians were superior in the parliament and in London: but the independents were, as I may say, masters of the army, and by that their party was grown very considerable. The presbyterians grand affair was therefore to disband the army, under colour of its being unnecessary, since the war was ended; and the independents grand affair was, to hinder this disbanding, which could not but be fatal to their party. It is certain, the parliament, being almost wholly

Presbyterians and independents begin to separate.

Clarendon, II. p. 32, &c.

wholly presbyterian, seriously thought of discarding the independent party, and particularly the generals and officers of that party. As they were obliged to send an army into Ireland, their project was to take for that service such soldiers out of the foot, horse, and dragoons, as should be willing to go thither, form them into companies, and give them officers, they could confide in. After that, their intent was to disband the rest of the forces, keeping only as many as should be necessary for the garrisons. Had this project succeeded, the independent party would have been irrecoverably ruined. But the parliament had to deal with men who were too wise to give them time to take all their measures. Oliver Cromwell, a person of uncommon valour, great parts, and profound dissimulation, was then at the head of the independents, though he affected still to pass for a rigid presbyterian. He was present at the sermons of the presbyterians with a seemingly extraordinary devotion. He made use of certain scripture-expressions after the manner of the presbyterians, and spoke not a word which might betray him to be independent, either as to religion or policy. In short, he had found means to persuade general Fairfax, that his sole aim was to promote the glory of God, and the welfare of religion and the kingdom. He had in the army a great number of officers who acted by his directions, so that when he did all, he seemed to do nothing. Among these officers were his son-in-law Ireton, Rainborough, Fleetwood, Lambert, Harrison, and several others, who took care to strengthen the independent party, by means of many subaltern officers, who endeavoured to make proselytes among the soldiers, and were so many emissaries in every regiment. Cromwell was member of parliament, and without lieutenant-general of the army, notwithstanding the self-denying ordinance, from which he had been exempted. After the war was over, he constantly attended the house, and thereby might be informed of the project against the army, or rather against the independent party in general. He seemed to approve of the measures designed by the commons, namely, of forming an army for Ireland, and disbanding the rest of the forces. But at the same time, by means of his emissaries, he raised in the army a spirit of discontent and

Cromwell's
dissimula-
tion,

Rushworth,
VI. p. 452,
&c.

He inspires
the army
with discon-
tent, at their
mutiny.

^a For the town of Cambridge.
^o The forces voted for that service were seven regiments of foot, three thousand horse, and twelve hundred dragoons, and 40,000*l*. Whitelock,

p. 217. About this time, colonel disbanded. George Monk took the covenant, and Clarendon, engaging in the parliament's service, III. p. 33, was sent into Ireland. Idem. p. 227.

&c.
Heath.
Coke.

CHAR. I. mutiny. This was the more easy, as the officers and soldiers perceived, they were going to be discarded, and as most were little able to return to their old professions, after four or five years spent in war. There were in the army many officers, who before the wars had been only tradesmen, and saw with regret they were going to be reduced to quit their employs which gave them authority, and resume their former trades, to be mixed as before with the meaner sort of people. These men, as well as those gained by the independents, were ready for any undertaking, not to be obliged to alter a course of life they had now led for some years. Cromwell therefore, and the officers of his party, improving this disposition, diligently inspired the army with discontent against the two houses, wherein they succeeded but too well ^{P.}

Project of a
petition
from the
army.

Clarendon,
III. p. 33,
&c.

Order of the
commons to
the general
about the
petition.
Rushworth,
VI. p. 445.
The general's answer.

The first spark of this flame appeared in March 1647, at the time when the parliament was seriously thinking of executing the fore-mentioned project. The commons had notice, that some officers of the army had prepared a petition to be presented to the general and communicated to the house. In this petition was described, the unhappy condition, most of the officers and soldiers would be in, when the army should be disbanded. The articles desired, were : *'Indemnity for actions as soldiers. Satisfaction for arrears. No pressing for horse or foot. Relief of widows and maimed soldiers. Pay till disbanded.'* This petition flew from regiment to regiment, and there were officers very diligent to procure subscriptions. Whereupon, the commons sent an order to the general, to make strict inquiry after the authors of the petition, and put a stop to the conferences held in the army to sow discord and division. The general answered, That in obedience to the order of the house, he had assembled the officers, and questioned them about the petition : that they had expressed a very deep sense of their unhappiness, in being misunderstood in their clear intentions, which, as they had protested, were no other than by way of petition to represent to him, their general, those inconveniencies, which would necessarily befall most of the army after disbanding ; but withal had assured him, they would wholly acquiesce in whatsoever he should judge reasonable to offer,

or

^P The earl of Essex's death, which happened on the 14th of September 1646, made it the easier for Cromwell to carry on his designs. For doubtless, had he lived, he would have given some check to the fury that was going to prevail. The lord Clarendon says, that it was reported he was poisoned and

that Cromwell and his party were wonderfully exalted with his death, *Torn. 3. p. 33.* On the 27th of November following, the earl's horse and effigies were cut to pieces and defaced in Westminster abbey ; and the like barbarous action was done to Camden's tomb there. *Whitelock, p. 228.*

of the house to grant on their behalf. The general added, CHAR. I. 1646-7.
 That the house might be better informed, he had sent lieu-
 tenant-general Hammond, colonel Hammond, colonel Lil-
 burn, lieutenant-colonel Pride, and lieutenant-colonel
 Grimes, who, he hoped, would give a full and candid ac-
 count of the whole matter.

Accordingly, these officers were examined before the Declaration
 house; after which, the speaker, in dismissing them, told of the com-
 them what sense the houses had of the petition, and desired mons pub-
 their care for suppressing the same, or any other of the like lished at the
 nature for the future.⁹ The same day, the house ordered head of the
 the general to publish a declaration, at the head of every several regi-
 regiment, importing, that the petition tended to put the VI. p. 447.
 army into a mutiny, and obstruct the relief of Ireland, and Whitelock.
 that the promoters thereof should be proceeded against as
 enemies to the state, and disturbers of the public peace.¹⁰

The commons could not do any thing more agreeable to The army's
 those, who had formed the project of sowing division be- discontent
 tween the army and the parliament. This declaration gave increase.
 occasion to the officers and soldiers to complain openly, Rushworth,
 "That they who had fought for the liberty of the subjects VI. p. 447.
 "of England, were denied the liberty of the subject to
 "petition, though it were to their general, and merely in
 "things relating to them as soldiers, meddling neither with
 "church nor state-affairs, and withal, submitting it to the
 "general's judgment for approbation or correction, as he
 "saw cause."

Mean while, the two houses intending to execute their The parlia-
 resolution of sending forces into Ireland in the manner they ment sends
 had projected, appointed a committee for that purpose, and a committee
 gave them power to form the regiments, and commission to form the
 such officers as they should think fit. At the same time, army for
 they resolved to encourage those that voluntarily offered to Ireland.
 serve in Ireland, and ordered the commissioners speedily to Id. p. 452,
 execute their charge. 452.

A a 2

The

⁹ Whitelock observes upon this oc-
 casion, that this way of petitioning
 by multitude of hands to the parlia-
 ment, which was formerly promoted
 by some of both houses, as a means
 to carry on their designs at that time,
 began now to be made use of, and re-
 turned upon them, to their great trou-
 ble and danger, p. 242.

¹⁰ Rapin has confounded here two

different things. What he says was
 published at the head of the regiments,
 was only a declaration and vote of both
 houses of the 30th of March. But
 the declaration sent to the general to
 be published to the regiments, was to
 require them to desist from going on in
 that petition they were about to present
 to him. Rushworth, Town. 6. p. 446,
 447.

CHAR. I. The commissioners ' repairing to Saffron-Walden, the
1646-7. general's head-quarters, gave notice to the officers to assem-
ble the next day. Then the earl of Warwick, head of the

The com-
missioners
find the
army dis-
inclined to
obey them.
Id. p. 457.
Whitelock,
Hollis.

committee, made a speech, exhorting them to accept of the terms offered by the two houses. When he had done speaking, colonel Lambert answered in the name of all the officers, and desired to know what satisfaction should be given them concerning four articles, namely, arrears, indemnity, maintenance in Ireland, and conduct? Sir John Clotworthy replied, That the parliament had taken care of all, except the point of indemnity, for which an ordinance would be ready in a few days. The officers demanded, what generals were to command them in Ireland? It was answered, Skippon and Massey were named for general and lieutenant-general; but for other commanders the parliament had not yet come to any resolution. Then the officers cried out with one voice, That if the command was given to Fairfax, Cromwell, and Skippon, they were ready to march. The commissioners seeing the officers insisted upon a thing not agreeable to the intentions of the parliament, desired such as would list in the service of Ireland, to come to their lodgings in the town, where they would give them farther satisfaction; but there came very few. At the same time, the rest prepared a declaration, which was presented to the commissioners, wherein they said, " They had reason to complain, that " they had received no positive answer to their desires: that " however, those who in their own persons did not engage " for Ireland, would be ready to promote the service: that " if the same conduct under which the army had been so " prosperous in England, was continued, it would conduce " much to their personal engagement in the service of Ire- " land: that this was the general sense of the officers of the " army."

Declaration
of the
officers.
Rushworth,
VI. p. 459.

Id. p. 460,
—468.

The general, who hitherto seemed very desirous to serve the parliament, ordered the officers who had a mind to serve in Ireland, to draw out of their men as many as would engage in that service. But the number was very small, and the parliament was informed, there were officers who took
great

* The earl of Warwick, lord Dacre, Sir William Waller, Sir John Clotworthy, and major-general Massey. The establishment agreed on by the commons then was. Officers of horse: A colonel 12 s. a day, and for four horses 8 s. A captain 10 s. and two horses 4 s. A lieutenant 5 s. 4 d. and

one horse 2 s. A provost-marshal 3 s. 4 d. and two men 4 s. Corporals and trumpeters, each 2 s. 6 d. Foot officers: A captain 8 s. a day. A lieutenant 4 s. An ensign 2 s. 4 d. Sergeants, drummers, corporals, each 1 s. Rushworth, Tom. 6. p. 454.

great pains to dissuade the soldiers from this service, and cheer- CHAR. I.
 with the discontent of the army.¹ 1646-7.

At last, their boldness was such, that some of the principal officers scrupled not to appear at the head of the mutineers in a declaration presented to both houses. They said, Another declaration.
April 27.
Id. p. 469.

"That the misrepresentations of their harmless intentions to the house, having occasioned hard thoughts and expressions of the house's displeasure against them, they humbly craved leave to offer some reasons to clear their proceedings in those passages, which they found most obvious to exceptions in their petition, whereby they hoped to make it evident, that the means they used, and the method they took, was, as they conceived, most orderly and inoffensive; proceeded not in the least from distemper, and aiming in no measure to put conditions on the parliament; and that from hence might be discovered, the corruptions of those mens hearts, who have been the evil instruments of occasioning the late declaration against them. And,

"1. For the liberty of petitioning, they hoped, the honourable house of commons would never deny it unto them, there being not any thing more essential to freedom; and particularly, since they had justified and commended it in their declaration of the 2d of November, 1642, in these words: *It is the liberty and privilege of the people, to petition unto us for the ease and redress of their grievances and oppressions, and we are bound in duty to receive their petitions.*

"2. They presented not their petition to the house, but with the approbation, and by the mediation, of their general, and consequently, that it could not be represented as seditious.

"3. The report of their forcing subscriptions was not true. For the petition had taken its first rise from amongst the soldiers, and the officers had engaged but in the second place to regulate the soldiers proceedings, and remove, as near as they could, all occasion of distaste.

"4. They were forced to desire an act of indemnity for such actions as they had committed during the exigency of the war, not warrantable by law, since they were liable to be indicted for them in time of peace.

A a 3

"5. As

¹ See an account of the forces appointed to serve in Ireland, above, p. 369, Note (v). About five thousand horse and dragoons were ordered to

remain in pay in England, for the defence of the kingdom. *Holles's Memoirs*, p. 74.

CHAR. I. "5: As to their desiring the royal assent, they never intended thereby to lessen the parliament's authority; but only used it as a provident caution for their future safety, And they observed, that the parliament itself had, by offering propositions, judged, the desiring the king's assent convenient.

"6. As to the desiring of their arrears, necessity enforced them thereto: that their wages had been hardly earned, and the desire of them could not argue them guilty of the least discontent, or intention of mutiny.

"7. For what concerned the relief of Ireland, they thought it hard, that those who had voluntarily served in the wars, and left their parents, trades, and livelihoods, and, without any compulsion, engaged of their own accords, should, after all their free and unwearied labours, be forced and compelled to go out of the kingdom."

This declaration was signed by Thomas Hammond, lieutenant-general of the ordnance, seven colonels, seven lieutenant-colonels, six majors, and one hundred and thirty officers, captains, and subalterns,

Votes to disband the army.

Id. p. 468.

Petition of some regiments of horse.

April 30.

Clarendon,

III. p. 33.

Whitelock, p. 245.

The same day this declaration was presented to the house, the commons voted, that the army should be disbanded, and the soldiers have six weeks pay when dismissed.

Some days after, major-general Skippon, who was to command in Ireland, and being returned from Barnstable had taken his seat in the house, notwithstanding the self-denying ordinance, which was no longer regarded, reported, that a letter was presented to him the day before by some troopers, in the behalf of eight regiments of horse, and produced the same, which was immediately ordered to be read. These regiments complained of the many late scandals, and false suggestions, against the Army, and their proceedings, and alledged the reasons why they could not engage in the service of Ireland, under the conduct of the intended generals.

Rushworth,

VI. p. 474.

The troopers, Sexby, Allen, and Sheppard, who brought the letter, were called in and examined, concerning the meaning of some expressions in the petition; to which they replied, That the letter being a joint act of those several regiments, they could not give a punctual answer, being only agents; but if they might have the queries in writing, they would carry them to the regiments, and return their answers.

Votes in favour of the army.

Id. p. 245.

Though the declaration of the officers was in itself very reasonable, it looked however more like an insolent accusation against the parliament than an humble apology. This convinced

convinced the commons, that the evil was greater than was CHAR. I. at first imagined; wherefore they passed several votes to give 1647. some satisfaction to the army, and to hinder the increase of their discontent. At the same time, Skippon, Cromwell, Ireton, and Fleetwood, were ordered to go and acquaint the army with what the house intended to do for the troops, and that a considerable sum was preparing for their pay, before they were disbanded. Hitherto the commons seem not to have perceived the true aim of the army's complaints, but hoped to appease them by some condescension.

The generals sent by the parliament being come to the army, and calling the officers together, read to them the votes passed in their favour; after which, Skippon made a speech, to ingage them to serve under him in Ireland. The officers answered, as this affair concerned the soldiers, as well as the officers, it was necessary to inform them of it, in order to know their resolution.

Mean while, the parliament ardently desiring to disband the army, after that which was to serve in Ireland was formed, ordered, that before they were disbanded, a fortnight's pay should be added to the six weeks, formerly voted, and that six weeks pay more should be given to those who would ingage for the service of Ireland.

The troopers and soldiers being informed of what the generals, sent by the parliament, had reported to the officers, answered, that as the whole army was concerned, they desired to discuss the affair in a committee, chosen by themselves, out of every company and troop, who should report the desires of each regiment to a committee of general officers, to be by them contracted into a method, and if general, communicated to both houses, as the sense of the army. It is easy to perceive in this answer, a secret direction of some of the leading male-contents, who intended by this means to be masters of the soldiers resolutions, and compose in the army, a sort of parliament, in opposition to the two houses. This demand, of which perhaps the consequences were not by many foreseen, being granted, the soldiers chose two out of every company, who were called *adjutors*, or *agitators*, to debate upon the matters which were to be brought to the council of officers, called, the council of war, consisting of generals, colonels, lieutenant-colonels, majors, and captains. Among the agitators there were few or none above the degree of an ensign. These two councils were afterwards continued, to the great prejudice of the parliament, and great advantage of the heads of the independent party, who easily

New commissioners.

Answer of the officers to the commissioners. Rushworth, VI. p. 434. 435.

Whitelock, p. 247.

The soldiers desire to consult among themselves. Rushworth, VI. p. 435.

It is granted them. They set up the council of agitators. Ibid. Clarendon, III. p. 33. Whitelock.

CHAR. I. found means to admit only such as were devoted to them or
1647. not of sufficient ability to discover their designs.

Mean while, the two houses persisted in their resolution to disband the army, excepting those who would engage to serve in Ireland. To effect this the more easily, it was ordered, that their arrears should be speedily auditted, and good security given them, for so much as should not be paid off upon disbanding: that none that had voluntarily served in the wars, should be pressed for any service beyond sea: that an ordinance should be drawn for providing for widows, maimed soldiers, and orphans. After that, the two houses settled the manner of disbanding the army, namely, that the regiments should be disbanded at different times and places, and that the money to pay them what was promised, should be sent to the several rendezvous. But the army openly complained of the intention to pay them but two months arrears upon disbanding, when there was no less than fifty-six week due to them.

The army
openly com-
plain.

p. 497.

Whitelock.

Reasons

why the

votes are

thought un-

satisfactory.

Rushworth.

VI. p. 497.

Shortly after, the general called a council of war at Bury, at which were present above two hundred officers, and communicated to them the votes of both houses, advising them to a compliance with the order of parliament. But the officers answered, They did not think these votes satisfactory to the soldiers; 1. Because eight weeks pay was not a considerable part of what was due to them. 2. Because no visible security was given for the arrears. 3. Because nothing was done for their vindication, and they being declared enemies, and sent home, might hereafter be proceeded against as enemies, unless the declaration were recalled.

The soldiers
threaten.

Id. p. 498.

At the same council a petition was produced and read, which had been that morning presented to the general, in the name of the private soldiers of the army, complaining, "That it was intended to disband them without redressing their grievances, and in a strange, unheard-of manner, one regiment apart from another, which posture could not but render them suspicious to the kingdom. And therefore they desired the general would be pleased to appoint a rendezvous for the army, and use his utmost endeavours, that they might not be disbanded before their grievance were heard, and fully redressed, which if not done, they should be necessitated, though unwillingly, to do things that might be prevented, by granting their just desires."

The general
contracts
the quarters
of the army.

The council of war having examined this petition, believed, or feigned to believe, it was absolutely necessary to take

take notice of it, for fear, if they saw all their desires re-
jected, they should have a rendezvous without their officers. 1647.
It was therefore resolved, that the quarters of the army
should be contracted, to prevent disorders, and for the greater
readiness to suppress them. It was manifest, the design of
the petition, and the council of war's resolution, was, to
break the parliament's measures. It had been resolved to
separate the army, and disband them at different times and
places, in order to do it the more easily; and the army, on
the contrary, had contracted their quarters, so that they
could rendezvous in a very short space, without any possibi-
lity of being prevented by the parliament.

The general failed not to acquaint the two houses with
the result of what had passed in the council of war; intreat-
ing them to proceed with caution, that the army might not
be incensed, and a breach made, which could not but be
very dangerous. He writ the same day to the speaker of the
house of commons, that he was extremely uneasy concern-
ing the disposition of the army, and heartily wished some
means could be found to appease the distractions, which
was not in his power: that he was forced to yield to many
things to prevent worse inconveniences.

Whereupon, the two houses recalled the commissioners, and form the
who were now gone to disband the army, and sent for the
money which had been lodged in several places for the pay-
ment of the soldiers. But three thousand five hundred pounds
carrying to London, was stopped by colonel Rainsborough's
men at Woodstock. It was very evident, the army was
unwilling to be disbanded; but the parliament not being in
a condition to command obedience, were forced to stay till
a more convenient season, without relinquishing however
their design. Their intention was to divide the army, under
colour of the necessity of sending forces into Ireland; and,
the better to engage the soldiers to leave the army, it was
voted, that a months pay should be given to those that
would quit their regiments and serve in Ireland. They
hoped by this means to form an army equal or superior to
that which refused to obey, wherein they were greatly
mistaken. Mean while, to give some satisfaction to the
army, it was ordered by the commons, that the subordinate
officers and soldiers should have all their arrears, deducting
for free quarters according to the usual rules of the army.
That the commission-officers should have one month's pay
more added to the two months arrears formerly voted.
Lastly, that the declaration against those that drew up the
first

CHAR. I.
1647.

Id. p. 497.
498.

The parlia-
ment recal
their com-
missioners,
May 30.
Id. p. 499.
Whitelock.

and form the
project to
divide the
army.
Rushworth,
Ibid. and
p. 500.

Ibid.
Whitelock.

Rushworth,
V. p. 503,
502.
Hollis's
Mem.

CHAR. I. first petition should be razed out of the journal of the house ^v.

1647. But all this was not capable of contenting the army, who

^{Ch. endon,} were resolved not to be satisfied. The directors of these
 III. p. 35. proceedings had a mind to continue the army, in order to be able to oppose the presbyterians, who were superior in the parliament. So, the reasons alledged by the army being only pretences, though every thing had been granted, others would have been devised to prevent their disbanding; and indeed, it will presently appear, that lest all their desires should be granted, they added new demands, which the parliament could not comply with.

The division
 between the
 parliament
 and army
 increases.
 Holles's
 Mem.
 Rushworth,
 VI. p. 505,
 &c.
 Ludlow.
 T. I. p. 190.

It was easy to perceive, that every thing tended to a breach between the parliament and the army. The parliament accused the army of mutiny and sedition ^v, and the army pretended, that the parliament, under colour of sending forces into Ireland, thought of forming a new army, to become masters of the kingdom, when the old one should be cashiered, or to kindle a fresh war in case the troops refused to obey. But they were far from being upon an equality. The army had the sword in their hands, and though some officers and soldiers had quitted their regiments for the service of Ireland, their number was inconsiderable ^x: all the rest remained united, and were supported by most of the generals, who being against the parliament, privately cherished the discontent of the officers and soldiers. The parliament had no forces to compel the army to obedience, and therefore were terribly embarrassed. They durst not drive the army to extremities; and on the other hand, they plainly perceived, that the discord was fomented by the leaders of the independents, who sought the destruction of the parliament, for fear the parliament should destroy them, as indeed both houses intended.

This therefore was a critical season, the point being to know who should be master, the parliament or the independent party. But these had the army on their side, and that alone balanced the power and authority of the parliament. They had so well laid their measures, by means of the agitators, that the army was become a sort of republic, where the suffrages of the common soldiers were upon a level with those

^v Here, says Whitelock, the parliament began to surrender themselves and their power, into the hands of their own army. Mem. p. 250.

^w Some moved, That the petitioning-soldiers might be declared traitors. Others resolved to secure Cromwell,

but he being advertised of it, went to the army. Ludlow, Tom. i. p. 190.

^x There were not above fifteen hundred or two thousand. See Holles's Mem. p. 76, and Rushworth, Tom. 6, p. 477, &c.

those of the generals; nay, the soldiers did not think themselves obliged to follow or to ask the advice of their officers. Hence sprung confusion, which was suffered to prevail. Every thing was done in the name of the army, a loose term which signified, sometimes the council of war alone, sometimes the council of agitators, now both councils together, and now, the agitators of some particular regiments. In this last sense must be understood the enterprise performed, in the name of the army, by the agitators of some regiments of horse, of carrying away the king by force from Holmby-house to New-market.

CHAR. I.
1647.

To execute this design, they chose cornet Joyce, one of the agitators of his regiment, who, from a taylor before the war, was become an officer, and had signalized himself for his bravery. Joyce being put at the head of fifty horse, marched directly to Holmby, and came there in the night, after the king was in bed. Having secured the avenues, he went up with two or three more to the king's chamber, and caused the door to be opened. The king getting up, asked him what he meant. Joyce answered, he intended to carry him to the army, for they had received certain advice, there was a design to convey him away by force. The king asked him, whether he had the general's orders? He replied, no, but that he was authorised by the army, and as he held a pistol in his hand, sufficiently intimated, it was by that he was chiefly empowered. The parliament's commissioners who were at Holmby to take care of the king, would have opposed this violence: but the king's guard refusing to make any resistance, and the troops that were in the neighbouring villages to relieve the guard every day, would not come. At last, after many disputes, all the king could obtain was to stay till the morning. That same night he writ a note, which he intrusted with the earl of Dumfermling, to acquaint the two houses, he was carried away from Holmby against his will, and that they should not give any credit to what he might afterwards write whilst under restraint. The next morning he went into the coach, and was conducted by

The king is
carried away
by force
from
Holmby.
June 4.
Clarendon,
III. p. 36.
Heath.
Herbert's
Mem.
Rushworth,
VI. p. 503.
513; 543;
549.
Ludlow.
T. I. p. 191.
Hollis's
Mem.

The king is
conducted to
New-

Joyce, market
Rushworth,
Whitelock.

^y Ludlow gives this reason for seizing the king: that the agitators were afraid, those who had shewed themselves so forward to close with the king out of principle, upon any terms, would, for their own preservation, receive him without any, or rather put themselves under his protection; that they might the better subdue the army, and reduce them to

obedience by force. Tom. I. p. 197.

^z The king requiring Joyce to shew his commission, he shewed the soldiers, that attended him. Whereupon the king said, Believe me, your instructions are written in a very legible character. Warwick's Mem. p. 299. There being five hundred proper men on horse-back, says Whitelock, p. 251.

CHAR. I. Joyce, who carried him that night to colonel Montague's, and the next day to Newmarket.

1647.

The army's
petition to
the general.

Whilst these things passed, the general having appointed a rendezvous of the army at New-market, for the 4th and 5th of June, the several regiments presented a petition to him, complaining of the votes passed in parliament the 21st and 25th of May, as not being satisfactory for the following reasons :

Rothworth,
Vol. p. 505.

" 1. That eight weeks arrear to be paid at disbanding, was but a mean reward for all their labours, and a very slender supply to carry them to their homes, and set them up again in their former callings and conditions.

" 2. That in the orders given for the stating of their accounts, they found no consideration or regard had of their arrears incurred in the former army commanded by the earl of Essex, which to the most of them were much greater than those under the new model.

" That three shillings a week was to be abated to foot soldiers for quarter, which was more than they should have paid for themselves, if they timely had their pay.

" 4. That there was no provision or allowance made in relation to any quarters discharged by them.

" 5. That, contrary to custom, no trooper was capable of allowance for arrears, unless he delivered in his horse and arms.

" 6. That the visible security for what arrears should not be paid at disbanding, appeared to them insufficient.

" 7. That the ordinance voted, to exempt from pressing, for the service of Ireland, such as had served as volunteers in the army, was defective ; because after their discharge, it was very difficult for them to obtain a testimonial of their past services.

" 8. That the ordinance for the maintenance of maimed soldiers, &c. had not yet passed in parliament.

" 9. That the ordinance for indemnity seemed to make but slender provision for their safety.

" 10. That no reparation had been made to those officers of the army, that had been at several times sent for to attend the parliament as delinquents, though they had been squad-innocent.

" 11. That there had been yet nothing declared by the parliament, to clear them as to their right of petitioning.

(There was in this article heavy complaints against the parliament's arbitrary power.)

" 12. That

"12. That the declaration made against the army was **CHAR. I.**
yet standing in force. 1647.

"13. That nothing had yet been done towards the discovery or censure of those that had wronged the army, and abused the parliament, so as to procure the proceedings against them, with relation to their petition."

It is easy to perceive, these complaints were but mere pretences, or at least, if the army had not resolved to be satisfied upon no terms, these differences might possibly have been adjusted. But this was only a preparative to what they had resolved to do. The next day, June the 5th, the officers and soldiers subscribed a paper, which they called a *solemn engagement*, whereby they consented to disband, when required by the parliament, but on condition, "That they should first have such satisfaction in relation to their grievances, and such security as to their persons, as should be agreed unto by a council to consist of those general officers (who had concurred with the army) with two commission officers, and two soldiers to be chosen for each regiment; and declared, that without such satisfaction, and such security they would not willingly disband, nor suffer themselves to be disbanded or divided."

Engagement
signed by
the army.
Id. p. 510.

This engagement was seconded with petitions from the inhabitants of the counties of Essex, Suffolk, and Norfolk, intreating the general, not to suffer the army to be disbanded till every thing relating to the government was settled.

June the 7th, both houses received a letter from the general acquainting them, that the soldiers at Holmby had brought the king thence by consent, having thought proper to secure his person, from an apprehension of forces gathering to fall upon them, and force him out of their hands. That as soon as he knew it, he sent colonel Whaley's regiment to guard the king: after which, for prevention of danger, he had sent two regiments more to reinforce colonel Whaley. That Whaley had desired the king and the commissioners, in his name, to return to Holmby, but that his majesty was not willing to go back. That upon this, he had sent Sir Hardress Waller, and colonel Lambert to desire the commissioners to think of returning to Holmby, but that the commissioners refused to act in disposing of the king. He affirmed moreover, that neither himself, nor the officers about him, nor the body of the army were concerned in removing the king, protesting that it was his as well as the army's desire, to study to settle a firm peace. That they had no intention to oppose presbytery.

The general's letter
about the
carrying
away the
king.
Id. p. 545.
Whitlock.

CHAR. I. presbytery, or set up the independent-government, but to leave all to the wisdom of the parliament, without advancing any particular party or interest.

It was a very strange thing, that the king should be removed from Holmby by fifty troopers, without any orders from the general or the officers about him, and without the consent of the body of the army; and that the general officers should suffer him to be in the center of the quarters of the army, without inquiring after those who gave, or those who executed, such an order. This showed, there was some mystery in it, which it was not thought proper to discover to the parliament, and that Joyce knew he should be protected, if called to an account. On the other hand, though the king had sent word to both houses, that he was unwillingly removed^a, it appears by the general's letter, that his majesty consented to it, and was unwilling to return to Holmby, when it was in his power. All this seems very mysterious, and I do not believe the public was ever fully informed of what passed before the removal of the king. What followed makes it conjectured, that some of the general officers believed it to be absolutely necessary for their interest to have the king in their power, at a time when they thought there was reason to fear, the parliament would come to an agreement with him, and that they caused him to be taken away from Holmby by persons without warrant, well knowing, they should be powerful enough to hinder the affair from being strictly examined. It may be, the king himself was privy to it, since he was unwilling to return to Holmby, and appeared, for some time, much more at ease in the hands of the army, than when he was in the parliament's power.

Votes of the commons.
Rushworth,
VI. p. 550.

The commons seeing the army master of the king's person, and unwilling to disband, resolved at least to show the public by their votes, that the imputations laid to their charge by the army were groundless, and that they were not swayed by self-interested motives. So, June the 10th, they confirmed the self-denying ordinance, and "declared to be void all places held by members of parliament." They voted; "That the lands and estates of all members of the house should be liable to the law for payment of their debts."

^a At a conference, June the 5th, between the Scotch commissioners, and the committee of both houses, the lord Dumfermling acquainted them, that the king commanded him to tell them, "That his majesty was unwillingly taken away by a party of the army,

"and that he desired both houses to maintain the laws of the land; and that though his majesty might sign many things in this condition, yet he would not have them believed, till farther notice from him."

Whitelock, p. 251.

"debts." They appointed a day to hear informations CHAR. I.
against members, and ordered that no member should here- 1647.
after receive any reparation for damages, till the public
debts were first satisfied.

Nevertheless the army began to march, and advanced to The army
marches
towards
London.
Rushworth,
VI. p. 552.
St. Albans within twenty miles of London. At the same
time, the general sent to both houses the result of the late
council of war at New-market, and intreated them to think
of some way to satisfy the troops.

The approach of the army threw the parliament and city 553.
The com-
plaints of
the army
against some
of the com-
mons.
Id. p. 552.
554.
Clarendon,
III. p. 38.
into great consternation, and an ordinance was passed, to
enable the committee of the militia of London to raise horses.
They seemed to intend to put themselves in a posture of de-
fence against the army. Within a few hours after, the
city received a letter signed by the general and all the other
general officers, complaining, there were certain members
of parliament who endeavoured to ingage the kingdom in
a new war, as having no other way to protect themselves
from the punishment they justly deserved. Adding, that
they desired no alteration of the civil government, nor in the
least to hinder the settling of presbyterianism, neither did
they intend any evil to the city, if they appeared not to
assist that wicked party, who would embroil them and the
kingdom. That they were ready to remove at a farther dis-
tance, if they were assured, that a speedy settlement of things
was in hand. That if, after all, the city should be seduced
to rise up against the army, ruin and destruction would
ensue.

This letter was communicated to the parliament, who The parlia-
ment tries
to divide the
army,
June 12.
Rushworth,
VI. p. 553.
555.
Clarendon,
III. p. 38.
writ to the general, to desire that the army might not come
within twenty-five miles ^b of the city; but it was already
advanced to St. Albans. The same day the commons or-
dered, that the sum of ten thousand pounds should be paid
to such officers and soldiers as should leave the army and in-
gage in the service of Ireland, with which the army was
highly displeased, plainly perceiying, the parliament's design
was to divide them.

The next day, upon a false rumour of the army's near and put
themselves
in a posture
of defence.
June 12.
Rushworth
VI. p. 557.
approach to the city, the militia of London ordered all the
trained-bands to be raised on pain of death. But presently
after the order was revoked. However soldiers were listed
by order of parliament.

In this interval, the common-council of London sent an
answer to the general and officers, wherein they said, the
city The com-
mon coun-
cil's letter to
the general.
Ibid.

^b Whitelock says, fifteen miles. Mem. p. 252.

CHAR. I. city intended no evil to the army, but only to defend the parliament and themselves against any unlawful violence. 1647. That they did not take up arms with intent to hinder the obtaining of the army's just demands. That on the contrary, they had presented their addresses to the parliament for the obtaining thereof; and only requested, they would demand no more than what should be just and reasonable.

Id. p. 560. The same day, the parliament sent commissioners to the army, to know what were their desires. The general answered, in letters to both houses, that the army offered, for a month's pay, not to draw their quarters nearer London, without first giving notice of it to the parliament's commissioners.

Mean while, the army continued to render themselves formidable, as well by their nearness, as by their demands which daily rose higher. At first, they protested, they would not meddle in any thing not immediately relating to themselves, and that their intention was to leave the care of the government to the wisdom of the two houses. But when they found, the parliament gave way, and wanted power or resolution, they advanced one step farther, and by a declaration presented to both houses, demanded:

The representation of the army.
June 14.
Id. p. 566.
Whitelock.

" 1. That the houses might be purged of such members, as for their delinquency, or for corruptions, or undue elections ought not to sit there.

" 2. That those persons who had appeared against the army, might speedily be disabled from doing the like; and for that purpose, might be made incapable of being the soldiers judges, when disbanded.

" 3. That some determinate period of time might be set for the continuance of that and future parliaments, beyond which none shall continue; that the members of the house might not have the temptation or advantage of an unlimited power to perpetuate injustice or oppression, but might be in a capacity to taste of subjection as well as rule.

" 4. That parliaments might not be adjournable or dissolvable, any other ways, than by their own consent.

" 5. That the right and freedom of the people to present petitions to the parliament might be cleared and vindicated.

" 6. That the large powers given to committees or deputy-lieutenants, might be taken away, or regulated.

c Sir Thomas Widdrington, and colonel White. Rushworth, Tom. VI. p. 560.

" 7. That the kingdom might be righted and publicly
 " satisfied in point of accounts, for the sums that had been
 " levied and paid. CHAR. I.
1647.

" 8. That after public justice was first satisfied by some
 " few examples on delinquents, a general act of oblivion
 " should be passed."

After these demands, the army protested, " That their
 " design was not to overthrow presbytery, and establish the
 " independent government. But they only desired, that there
 " might be some effectual course taken, that such who upon
 " conscientious grounds differed from the established forms,
 " might not for that be debarred from the common rights,
 " liberties, or benefits, belonging equally to all, while they
 " lived soberly and inoffensively towards others, and peace-
 " ably and faithfully towards the state."

It was easy to perceive the army no longer contented
 themselves with meddling in their own affairs, but wanted to
 have a share in the civil government. There were in the
 house of commons very able men, who knew the designs of
 the independents, and would have baffled them, had they
 been supported with power. To this end it was, they had
 projected the forming, out of the old, a new army for Ire-
 land, and to cashier the rest of the forces. This project
 tended directly to the ruin of the independent party. Ac-
 cordingly, Cromwell and his associates used all their endea-
 vours to countermine the artifices of their enemies, by in-
 spiring the army with discontent, and cherishing it in the
 fore-mentioned manner. In short, having tried the parlia-
 ment, they thought themselves strong enough to strike a
 bolder stroke, in using always the army's name, which they
 had moulded to their purposes. To this end, they caused
 it to be resolved in a council of war, that the army should
 prefer a charge against the ablest and most powerful mem-
 bers of the commons, who in a manner governed and directed
 the house. These were the men the independent party had
 chiefly to fear. This resolution being taken, the army de-
 puted some officers to carry, in their name, to the parliament,
 a charge against eleven members, namely, Holles, Stapleton,
 Lewis, Clotworthy, Waller, Maynard, Massie, Glyn, Long,
 Harley, and Nichols.

The general articles of the charge were :

" 1. That the persons above-named had, in an arbitrary
 " and violent manner, infringed the rights and liberties of
 " the nation, and endeavoured by indirect and corrupt prac-
 " tices to delay and obstruct justice. The articles
of their ac-
cusation.
Rushworth,
VI. p. 570.

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B b

" 2.

CHAR. I.

1647.

" 2. That the army being, until the middle of March last, in an orderly condition, and ready either quietly to have disbanded, or else to have engaged in the service of Ireland, those members had endeavoured by false informations to beget misunderstandings and jealousies in the parliament against the army.

" 3. That whereas the parliament might have had out of the army an intire force for the reduction of Ireland, those persons had attempted to pull the army in pieces, and to put the kingdom to the trouble and expence of raising a new force for that service.

" 4. That they had diverted the forces engaged for the service of Ireland, and endeavoured to apply them to carry on desperate designs of their own in England; and had also raised new forces under pretence to guard the parliament, and privately lifted officers and soldiers, for embroiling the kingdom in a new and bloody war.

" 5. That they had invited and encouraged divers reformado's, and other officers and soldiers, tumultuously to gather together at Westminster to affright and assault the members of parliament."

The very next day, the army sent proposals to the commons, wherein they desired:

The army's
demands.
M. p. 592.
Whitelock,
p. 253.

" That the persons impeached might be forthwith suspended from sitting in the house.

" That there might be a month's pay immediately sent to the army.

" That if the officers and soldiers of the army who had engaged for Ireland, or those who had deserted the army and come to London, had since then received more than a month's pay, there might be so much more money sent down to the army.

" That during the debate and transaction betwixt the parliament and the army, about raising and lifting new forces, the parliament would not suffer any new forces to be raised within the kingdom."

These demands extremely embarrassed the parliament. They could not reject them without furnishing the army with a pretence to march to London, where was nothing ready to oppose them, and by granting them, they gave them occasion to make further demands. This embarrassment was the greater, as several counties seconded the army, and pretended, it was absolutely necessary to continue them, to stop the progress of the arbitrary power assumed by the parliament. We have already seen, that the counties of

Essex,

Essex, Suffolk, and Norfolk, had in some measure declared CHAR. I.
for the army. Buckinghamshire and Hertfordshire followed 1647.
this example; and Glamorganshire openly complained, by Some coun-
deputies sent on purpose, that the people were oppressed by ties are for
the parliament, and by the committees settled in the several the army.
counties ^d.

Whereupon the two houses thought proper to appease the
impending storm, by giving satisfaction to the army, in order
to remove all pretence of complaint; for it was easy to per-
ceive that was what they wanted. It was therefore resolved, Rushworth,
that the order for listing of forces, and the permission given VI. p. 520,
to the committee of the militia of London to augment the 559, 573,
trained-bands should be void: That the army should have a 575, 578.
month's pay, and the general be required to remove it forty The parlia-
miles from London. Some days after, a month's pay was ment re-
also granted to the forces in the north, and to let the army solves to sa-
see there was no design to disband them, the parliament tisfy the
passed an ordinance for raising sixty thousand pounds a month army.
for the maintenance of the army, and for the service of Ire- June 16.
land ^e. Lastly, the house of commons writ to the general, Id. p. 574,
that they were ready to receive from him any particular 575, 581,
charge against the eleven accused members. 582.

This condescension might have produced peace between The army is
the parliament and the army, if peace had been what the not con-
army desired. But, instead of being obliged to the parlia- temperd.
ment for this compliance, they were rather incensed at it, as
being sensible, the design of it was only to break their mea-
sures, by taking away all pretence of complaint. They
would have been better pleased, that all their demands had
been denied, in order to have an excuse to do themselves
justice. They were afraid the parliament, by endeavouring
to gain time, would privately take measures, the effects
whereof would not appear perhaps till it should be too late to
prevent them. Wherefore, far from being contented, they June 23.
presented a remonstrance to the parliament, whereby they
sufficiently discovered their disinclination to an agreement.
This remonstrance contained the following complaints of the
officers and soldiers:

“That they had yet received no answer or resolution Other de-
“about the eleven accused members. This point they mands of
B b 2 “largely the army.
Rushworth,
VI. p. 585.

^a It was strange (says Whitelock) to
see, how several counties, and the citi-
zens of London, began to make all their
application to the general and the army,
omitting the parliament, and all looked
upon the army in the chief place, and

were afraid of doing any thing contrary
to them. *Mem. p. 244.*

^c This monthly sum was raised, by
rating each county at so much. Essex
paid the sum of 4447*l*. 9*s*. 5*d*. See
Rushworth, Tom. VI. p. 582.

CHAR. I. "largely insisted upon, and pretended they could not expect
1647. "they should be called to an account, so long as they con-

"tinued in such power, both in the house, and in all the
"committees of the highest trust, as they actually did.

"That the army was commanded to forty miles distance
"from London, and his majesty's person demanded immedi-
"ately to Richmond house^f, within eight miles of London,
"to put his majesty within reach of those mens power.

"That it was industriously published, that his majesty
"was kept a prisoner in the army, and barbarously and
"uncivilly used; but all suggestions of that sort were most
"false.

"Lastly, after many complaints of public and private
"grievances, they said, that they should be enforced, by
"the parliament's affected delays, to take extraordinary
"courses to put things to a speedy issue, unless by Thursday
"night next they received assurance and security on the fol-
"lowing articles:

"1. That the declaration inviting men to desert the army,
"be recalled and annulled.

"2. That the army may be presently paid up, equally to
"those that have deserted it.

"3. That his majesty's coming to Richmond may be
"suspended; and, in the mean time, no place may be ap-
"pointed for his majesty's residence any nearer to London
"than the parliament will allow the quarters of the army
"to be.

"4. That the members charged may be forthwith sus-
"pended the house.

"5. That those that have deserted the army may be in-
"stantly discharged, and receive no more of their arrears till
"the army be first satisfied.

"6. That both parliament and city may be freed from
"those multitudes of reformado's, and other soldiers, that
"flock together about London.

"7. That all listings, or raisings of new forces, may be
"effectually suppressed.

"8. That the perplexed affairs of the kingdom, and those
"concerning the army, may be put into some speedy way of
"settling and compofure^g.

It

^f This was ordered by the parliament on June 15. Idem, p. 563.

^g In these declarations and transactions of the army, colonel Ireton was chiefly employed, or took upon him the

business of the pen. And having been bred in the Middle-Temple, and learned some grounds of the law of England, and being of a working and laborious brain and fancy, he set him-
self

It was visible the army sought a pretence to quarrel, and as it was their interest to break very soon, for fear secret measures might be taken against them, so it was the parliament's business to gain time. To that purpose, they empowered the commissioners in the army to treat with them upon all the points in dispute.

Mean while, the commons voted, "That by the law no judgment can be given to suspend the eleven members from sitting in the house, upon the papers presented from the army, before the particulars be produced, and proofs made." But an expedient was found to soften this refusal, namely, that the parties accused should, of their own accord, desire to leave to absent themselves from the house, which was granted, and the army remained satisfied.^a

About the same time, the army drawing a little nearer London, probably, with design to awe the parliament, the general writ to the lord-mayor and aldermen, that they had nothing to fear from the army, who had no ill intention against the city. And indeed, it was resolved in a council of war, that there should be no farther advance of the army than to Uxbridge.

It is certain, there were many in the city and parliament that wished to see a breach between the two houses and the army. Some, doubting, imagined such a breach would be very advantageous to the king, and that one or other of the two parties would join with him, and be directed by him. Nay, the king flattered himself with these hopes. The army shewed great regard for him, and some of the officers even hinted to him, they were labouring for his restoration. For this reason, the two houses thought it very necessary to avoid a breach, which could not but produce many ill effects. Both houses therefore voted, that they considered the army commanded by general Fairfax, as their army, and would make provision for their maintenance. It was farther ordered, that they should have a month's pay, and no officer or soldier should leave the army without licence from the general; that all reformado's should remove from the city,

B b 3

and

self much upon these businesses, and was therein encouraged and assisted by lieutenant-general Cromwell, his father-in-law, and by colonel Lambert, who had likewise studied in the inns of court, and was of a subtle working brain. Whitlock, p. 254.

^a Densil Holles, Sir Philip Stapleton, and Walter Long, went together in a ship to France, where Stapleton,

that gallant English gentleman (says Whitlock) died within two or three days landing at Calais, as some suspected of the plague. Others of the eleven members went into other parts, and some of them retired into their countries, and there lived privately; Mr. Holles continued in Bretagne till the restoration. Whitlock, p. 256.

CHAR. I.
1647.

The parliament send deputies to the army to treat with them.

Id. p. 593. The eleven members desire leave to absent themselves.

June 25. Rushworth, VI. p. 592.

593.

The general's letter to the city. June 26.

Rushworth, VI. p. 592, 593.

The parliament contents the army. Clarendon.

Rushworth, VI. p. 595, 596.

CHAR. I. and the king reside no nearer London than the army. These votes being communicated to the army, they seemed so well pleased with them, that they resolved to remove from London, to show they intended to use no force upon the parliament, and the head-quarters were appointed at Wickham.

Id. p. 196.
Whitelock.

Plot at London against the army.
Whitelock.

Whilst the parliament was endeavouring to content the army, a plot was forming in London, to compel the two houses to take other measures, and oppose the army[†]. The presbyterians were not pleased to see the independents gain so much ground, and censured the parliament for thus meanly complying with the army. The magistrates of London came into the plot, as well as the most zealous presbyterian members of parliament, who had not been able to hinder the late votes for preventing a breach with the army. The authors of the plot had sent private agents into Scotland to desire assistance. Nay, it was whispered in London, that Scotland was going to declare against the army.

Rushworth,
Vol. p. 597,
627.

Petition of the common-council to the parliament.
July 2.
Id. p. 597.
Whitelock.

The first step taken by the conspirators was to present to the parliament a petition from the common-council of London, wherein they expressed some suspicion of their conduct. This was, doubtless, in order to have a pretence to complain more openly afterwards, and to begin to lessen the people's prepossession in favour of the parliament. In this petition, the city complained of the arbitrary power exercised by the parliament's committees, as well as of the ill management of the public money, and desired :

“ 1. That present command be given, that no officer of war, or soldier, do enter London, under pretence of receiving their arrears.

“ 2. That such officers and soldiers as are already paid, if their usual habitation and employment have been within London, be enjoined forthwith to betake themselves to their calling; and such as have dwellings in the country be required to depart within two days after publication.

“ 3. That all who have been in arms against the parliament, be enjoined upon pain of imprisonment, within twenty-four hours after publication, to repair to their several habitations.

“ 4. That such commanders and soldiers as have come in from the army, and received their monies, may be otherwise disposed of as the parliament shall think fit.

“ 5. That

[†] It was chiefly carried on by the eleven members and their friends. One Colsons, alderman of Newcastle, was employed to negotiate with the Scots. Whitelock, p. 257, 267.

" 5. That all persons whatsoever that are possessed of any monies or goods belonging to the public, may be enjoined to bring the same, within one month after publication, into some public treasury.

" 6. That all revenues be managed under such commissions, and by such persons, as, notwithstanding any privilege of parliament, may be held to such rules as are or shall be prescribed therein.

" 7. That the parliament would for the present lay aside all businesses of lesser consequence, and improve their time and utmost endeavour, that such laws may be prepared for his majesty's concurrence, as may settle the government of the church, secure the people from all unlawful and arbitrary power whatsoever in future, and restore his majesty to his just rights and authority, according to the covenant.

" 8. And, that the people may be the better secured to enjoy the intended effects of such laws as shall be so made with the royal assent, that especial care be taken, that all officers of state, and other ministers of justice, may be persons of honour, of considerable interest, and of known integrity.

" 9. That the parliament would please to provide for the carrying on of the affairs in Ireland.

" 10. That by just and good means the correspondence with Scotland may be maintained and preserved.

" 11. That the house of commons would please to give order for a speedy examination of all unlawful elections, and returns of the members thereof.

" 12. That some speedy course may be taken for the deciding of all causes formerly determinable in the court of admiralty.

" 13. That satisfaction being made by delinquents, an act of oblivion may be passed."

To incense the Londoners against the army, it was rumoured, that they designed to declare for the king ^{White-lock, p. 258.} Nay, ^{Rushworth, p. 602.} a pamphlet was dispersed in London, entitled, '*Heads pre-sented by the army to the king's majesty.*' But the army dis-owned it by a public declaration.

The parliament having impowered their commissioners to treat with the army, they nominated on their part, Cromwell, well,

B b 4

* Many of the chief in the army gave out, That the intentions of the officers and soldiers were, to establish his majesty in his just rights. *Etd.*

low, Tom. I. p. 195.

¹ They were the earl of Nottingham, lord Wharton, Skippon, Sir Henry Vane, jun. Sir Tho. Widdrington,

Difference between the parliament's and army's commissioners. *Id.* p. 603. &c. 626.

CHAR. I. well, Iretón, Fleetwood, Rainsborough, Harrison, Sir Har-
drefs Waller, Rich, Lambert, Hammond, and major Rainf-
borough, all independents and heads of the party in the

army. It appears by memoirs, inserted in Rushworth's col-
lections, that the army's commissioners would not begin to
treat, before the parliament should have granted some things
they demanded, and really performed them. They com-
plained, that the parliament seemed indeed by their votes to
comply with the army's desires, but delayed to put them in
execution. The parliament's commissioners endeavoured on
their side to avoid having these points considered as granted
preliminaries, and insisted upon their making part of the ne-
gociation.

p. 608, &c.
633.

Different
sentiments
in the par-
liament.
Clarendon,
III. p. 37.

This shews the parliament sought to gain time, and
seemed inclined to give the army satisfaction, only because
it could not be avoided. The commons were almost all
presbyterians, and consequently were vexed to see themselves
obliged to stoop to the independents, who were masters of
the army. Among the presbyterian members, there were
not a few, who, being very warm, would have gladly ha-
zarded a breach with the army, rather than be forced to
receive law from them. But the rest, being the majority,
though no less enemies to the independents, thought it more
adviseable to have patience, and try to amuse the army till
some aid might be secured, rather than furnish them with
a pretence to march to London, and ruin at once the pre-
byterian party and the parliament. Accordingly, these pre-
vailing in both houses, every thing seemed to tend to an
agreement, which could not but be fatal to the presbyte-
rians: however, there was no way to avoid it. For this
reason, the parliament forbid the reformed-officers to come
into London for two months, and gave very strict orders
against listing of soldiers, which was privately transacted in
the city.

Rushworth,
VI. p. 595.

The conti-
nuance of
the plot.
Whitelock.

Mean while, the project of raising forces in London to
oppose the army still continued, though with the utmost
secrecy, and the agents in Scotland caused much to be ex-
pected from the Scots, as being concerned to support the
presbyterian party. But the authors of this project could
hardly flatter themselves that the assistance of Scotland could
be ready in time, since the parliament and army were upon
terms of accommodation. They found therefore, they were
either to break off the accommodation, or resolve to see all
their

ton, colonel White, Robert Scawen, and Thomas Povey, esqrs. Rushworth,
Tom, VI. p. 605,

their hopes vanish, and suffer presbyterianism to be trampled upon by the independents. To succeed in the design of preventing a peace between the parliament and army, they found no better way than to excite the people to force the parliament to alter their measures. They got therefore the apprentices and London-mob, to present petitions, that the presbyterian government might be firmly established: the insolence of sectaries curbed: the army paid off and disbanded; and other things of the like nature destructive of the projected agreement.

On the other hand, the forces in the North, and the horse quartered at Nottingham, published declarations of their adherence to the army commanded by general Fairfax.

About the same time, the parliament, at the army's request, ordered the four regiments that came from the army, under pretence of engagement for Ireland, but remaining still in the kingdom, to be disbanded. They permitted likewise the eleven accused members to go beyond sea for six months, insinuating to them by this permission, that they would do well to take that course of their own accord. But as, probably, they were deeply concerned in the plot formed at London, if not the authors, they thanked the house for this favour, without being in haste to take the benefit of it.^m

Mean while, the army hearing something more than ordinary was contriving in London, and that succours from Scotland were talked of, sent a petition to the parliament, with these farther demands: "That a declaration be published against the bringing in of any foreign forces: that the army be paid up equal with the deserters thereof, and put into a constant course of pay: that the committee of the militia of London, that had been changed by ordinance of the 4th of May last, be restored, and the militia of the city speedily returned into those hands who formerly gave large testimonies of their fidelity to the parliament and kingdom." Whereupon the parliament declared, that whosoever should bring in foreign forces, without the consent of both houses, should be deemed traitors. It was voted likewise, that the militia of London should be restored

^m Holles, Stapleton, and Long, went to France. See note above. Rushworth says, that the eleven members, finding that the army declared, the proceeding upon particular proofs to make good the charge, would probably take up much time, and hinder

the settling of greater matters, petitioned the house that they might absent themselves for six months, to go about their particular affairs, or if they desired it, beyond sea. Idem. p. 628,

CHAR. I.
1647.

July 13.
Rushworth,
VI. p. 614.
—619.
Clarendon,
III. p. 47.

Forces in
the north
adhere to
the army.

July 15.
Rushworth,
VI. p. 621.
—623.

The com-
mons per-
mit the
eleven
members to
absent them-
selves for six
months.

Id. p. 622.

The army's
petition to
the parlia-
ment.

Id. p. 629.
Clarendon,
III. p. 46.

Whitelock.

Rushworth,
VI. p. 631.

p. 632-634.
Whitelock.

CHAR. I. restored to the old commissioners, and an ordinance was passed for that purpose. To understand this article, it must

1647. be observed, that in the beginning of May last, both houses perceiving some motions in the army, thought proper to secure the militia of London, and put it into such hands as they could confide in. To that end they passed an ordinance the 4th of May, for chusing a new committee of the militia of London, by which means none were admitted into the committee, or any office of the militia, but presbyterians, entirely devoted to the party. This changed it was that both houses repealed, at the army's request, and restored the former commissioners.

Rushworth,
VI. p. 472,
478.
Clarendon,
III. p. 46,
47.

The presbyterian party, who had great credit in the city and possessed all the posts, could not, without extreme regret, behold the parliament's condescension to the army, that is, to the independents. They saw that party daily increase, and in condition to give law to the parliament itself. For that reason, the rigid presbyterians, seconded by the common-council of London, formed an engagement to assist one another, and oppose the army to the utmost of their power, upon a supposition, that the army intended to subvert what had been hitherto done to settle the peace of the kingdom. The engagement publicly subscribed in London, was as follows :

A solemn engagement of the citizens, commanders, officers, and soldiers of the train'd-bands, and auxiliaries, the young men, and apprentices of the cities of London and Westminster, sea-commanders, seamen, and watermen; together with divers others, the commanders, officers, and soldiers, within the lines of communication, and parishes mentioned in the weekly bills of mortality.

Rushworth, " WHEREAS we have entered into a solemn league
VI. p. 639. " and covenant, for reformation and defence of religion, the honour and happiness of the kingdom, and the peace and safety of the three kingdoms of England, Scotland, and Ireland; all which we do eminently perceive to be endangered, and like to be destroyed: We do therefore, in pursuance of our said covenant, oath of allegiance, oath of every freeman in the cities of London and Westminster, and protestation, solemnly engage ourselves, and vow unto God Almighty, that we will, to the utmost of our power, cordially endeavour, that his majesty may speedily come to his own houses of parliament, with honour, safety and freedom, (and that without the nearer approach

"approach of the army) there to confirm such things, as CHAR. I. he has granted in his message of the 12th of May last, in 1647. answer to the propositions of both kingdoms; and that by a personal treaty with his two houses of parliament, and the commissioners of the kingdom of Scotland, such things as are yet in difference, may be speedily settled, and in a firm and lasting peace established; for the effecting hereof, we do protest and re-oblige ourselves, as in the presence of God, the searcher of all hearts, with our lives and fortunes, to endeavour what in us lies, to preserve and defend his majesty's royal person and authority, the privileges of parliament, and liberty of the subject, in their full and constant freedom, the cities of London and Westminster, lines of communication and parishes mentioned in the weekly bills of mortality; and all others that shall adhere with us to the said covenant, and oath of allegiance, oath of every freeman of London and Westminster, and protestation: Nor shall we by any means admit, suffer, or endure, any neutrality, in this common cause of God, the king, and kingdom, as we do expect the blessing of God Almighty, whose help we crave, and wholly devolve ourselves upon, in this our undertaking."

The two houses had no sooner advice of this engagement, but they published by beat of drum and sound of trumpet, a prohibition to sign it. On the other hand, the general loudly complained to the parliament's commissioners, and desired them to put a speedy stop to the agitations in London, which tended to rekindle the war. At the same time he ordered a strict enquiry to be made in the army after all cavaliers who had borne arms for the king, or were suspected to be of his party, with a command to dismiss them forthwith.

The parliament forbids the signing it.

July 24.
Rushworth, VI. p. 635, 636, 639.
Whitelock.

For two or three days there was a great commotion in London: assemblies were held, soldiers lifted, and orders given them to be ready upon the first notice. The common-council received two petitions, one from a great number of substantial citizens, the other from the young men and apprentices, to desire, "That the militia might be continued, as settled by ordinance of the 4th of May." Whereupon the common-council represented to the commons in a petition, "That having taken notice of the pleas of both houses for constituting, by ordinance dated the 1st of the

Commutations in London.
Rushworth, VI. p. 640, —642.

Two petitions concerning the militia.
Whitelock, Clarendon, III. p. 47.
Ludlow, T. I. p. 206.

* Among whom were several of the independents belonging to the army. Holles, p. 145.

CHAR. I. "the 23d of July, a new committee for the militia of the
 1647. "city of London, and for determining of a former ordi-
 "nance for the same, dated the 4th of May last, they could
 "not but call to mind, how far both houses of parliament
 "had formerly honoured the city, when they first establish-
 "ed the committee for the militia, to take the sense of this
 "court before they finally resolved thereupon; which con-
 "fidence the petitioners are not conscious to themselves to
 "have forfeited. And next being sensible, what a general
 "distemper this sudden change hath already made, and is
 "like to make, in the city, they could not but earnestly
 "pray, that the militia which was established by ordinance
 "of the 4th of May last, may be restored."

The parlia-
 ment's per-
 plexity.

The parliament was not a little embarrassed in the present juncture, considering the impossibility of contenting at the same time, the army and the city, whose desires were diametrically opposite. It is certain, most of the members were presbyterians, and consequently ill-affected to the army. Had it been in their choice, they would have declared against and disbanded the army according to their intention. But since the army's approach to the city, the wisest, who were the majority, had thought proper to comply, not seeing how the army could be opposed, if they proceeded to violence, as was very likely. But there was a good number of others who were for running all hazards rather than see the independents triumph. Mean while, these last privately cherished the commotions in the city, imagining, the assistance they might receive from London, was sufficient to resist all attempts of the army. This was likewise the opinion of the common-council, the populace, and some general officers, as Sir William Waller, Pointz, and Massey, who were removed by the new model, and were then in London. The only point therefore was to induce the parliament to join with them, and take vigorous resolutions against the army. But as there was no likelihood of prevailing by fair means, it was resolved to use force.

The young
 men and
 apprentices
 come and
 petition the
 parliament.
 Rushworth,
 VI. p. 642.

To that end, July the 26th, a great number of young men and apprentices, came to Westminster, and presented a petition to the house of commons, desiring,

1. That the ordinance of the 23d of July for change of the militia of London, be immediately repealed,

2. That the city may be vindicated against a late pretended declaration, that those are traitors who shall act to get subscriptions, and that it may be revoked.

3. That

3. That both houses do presently make an order, for call-
ing in all absent members, especially the eleven late accused
members, against whom there has been nothing proved to
this day. CHAR. I.
1647.

These demands were such, considering the present jun-
cture, that it was no wonder much time was spent in debat-
ing by both houses. But the people without, growing im-
patient, and perceiving these debates were intended only to
amuse them, made a great noise in the outer rooms. Some
knocked at the door of the house; others threw in stones at
the windows of the house of peers. In a word, they very
plainly showed, they would not suffer the two houses to rise,
before they had received satisfaction. At last, both houses
seeing it would be in vain to resist the multitude, who threat-
ened to tear them in pieces, voted, "That the ordinance of
"the 23d of July, for settling the militia of London, and the
"declaration of the 24th of the same intent, be null and
"void." This done, the house of commons adjourned till
next day. But the multitude constrained the speaker and
members to resume their places, and desired them to vote,
That the king should come to London; which was done ac-
cordingly. On the morrow both houses being met, adjourn-
ed to the 30th.

On the 28th, the common-council received a letter from
the general, expressing his good affection and tender care of
the city, but withal his great dislike of the petition, and the
means used to promote it. At the same time, many young
men and others attended the common-council, declaring
their readiness to support the just privileges of the city against
all opposers. Whereupon a letter was sent by a messenger-
to the general, and six commissioners appointed to follow the
next morning. In the letter, "They declared their incli-
"nation to peace, intreating him, that the army might
"not advance, nor intermeddle with the rights and privi-
"leges of the city, conceiving that the strengthening the
"city for the safety thereof, was no just cause to provoke
"the soldiers: and as for the petition, the parliament had
"already declared their sense of it, and therefore it was
"needless for them to do it, and the rather for that it had
"never been formally presented to them."

Mean while, the common-council having received intelli-
gence that the army was advancing towards London, orders
were given for the trained-bands to go to their works, and
for all that could bear arms to appear the next morning at se-
veral places.

Both

and con-
strain both
houses to
grant their
desires.
Whitelock.
p. 261.
Ludlow.
T. I. p. 206.
July 26.
Rushworth,
VI. p. 643.
p. 644.

The com-
mon coun-
cil's answer
Ibid.
Whitelock.

The city put
themselves
in a posture
of defence.
Rushworth,
VI. p. 646.
Whitelock.

CHAR. I. Both houses meeting the 30th of July, the two speakers did not appear, which obliged them to chuse others in their

room*. With the speakers, a good number of members of both houses were also departed from London, without any one's knowing whither. The absence of these members, who were all friends to the army, rendered the contrary party so superior; that the commons voted the same day, That the king should come to London: that the militia of the city should have full power to raise such forces as they should think fit, for the defence thereof: that they should chuse a commander in chief to be approved by the house, and such commander to present other officers, to be approved by the militia. After that, the committee make choice of major-general Massey to command in chief, and ordered, that all reformado's and other officers should the next day appear to be listed in St. James's fields, and the forces already listed to be put into a regimental way.

The two speakers absent themselves. Votes of the commons to resist the army.

Rushworth, VI. p. 646. Clarendon, III. p. 47. Holke's.

Massey made commander in chief. Whitelock.

The general's letter to the city. Rushworth, VI. p. 647. Whitelock. Clarendon, III. p. 47.

The same day, the common-council received a letter from general Fairfax, dated the day before, wherein he spoke very sharply of the tumult of the 26th, and of the violence upon the parliament. He said, the guard sent from the city, not only neglected their duty, but that divers of the common-council greatly encouraged the seditions. That they had not kept their word with the army, which, upon their assurance to secure the parliament from any attempt, had removed to that distance from the city. That he could not but look on them as accountable to the kingdom, for the present interruptions of the hopeful way of peace and settlement of the nation, if by their care and industry the chief actors in the late tumults were not detected and given up to justice.

The city's declaration against the army.

Rushworth, VI. p. 641.

On the other hand, the city published an apology by way of declaration or manifesto, setting forth, "The army's surprising the king at Holmby, without its being known by what authority, and under what pretences; and their keeping his royal person ever since, notwithstanding his surprisal was disowned by the general for himself and all the officers about him, and for the body of the army. That the privileges of parliament had been violated by the army's causing the eleven members to withdraw, and by interposing in the militia of London, which was sub-

ject

* The lords chose the lord Grey of Werk; and the commons, Mr. Henry Pelham a counsellor of Lincoln's-inn. Rushworth, Tom. VI. p. 646. There

was then above a hundred and forty members remaining in the house of commons. Clarendon, Tom. III. p. 47.

“ject to no other cognisance but of the king and parlia-
 “ment.” There were several other things in this manifesto,
 which insinuated, that the army’s ill designs were but too
 evident. They concluded with protesting, that “they sin-
 “cerely desire a happy and speedy peace by the settlement
 “of true religion, by re-establishing his majesty’s just rights,
 “by upholding all lawful privileges of a free parliament,
 “by maintaining the fundamental laws of the land, by re-
 “storing the subject to his just liberty, and by freeing this
 “long oppressed kingdom from all taxes, and the enforced
 “free-quarters towards the maintenance of an army, which
 “hath long had no visible enemy to encounter.”

Both houses also writ to the general, that though he had
 given them no account of the motion of his army, yet they
 understood, he had ordered his forces to march towards Lon-
 don, on pretence of defending the houses from the danger of
 tumults, upon which account they thought fit to let him
 know, that as they could not but have a deep sense of the
 undue liberty which some apprentices and others had taken,
 to violate the freedom of parliament, so they doubted not,
 but the sense of so great an offence would at last strike those
 that were accessory thereto with a detestation of any such
 practices for the future: and that as the houses could not ima-
 gine, these disorders had the allowance of the city of Lon-
 don, so they had since received full satisfaction by the strict
 orders published by the common-council for preventing and
 suppressing of tumults, and by their declaration, that
 they should sit with freedom, and security from any distur-
 bances for the future. And therefore they saw no cause to
 command the army to come to their assistance, but rather
 judged (by the distractions raised at the news thereof) that
 the army’s approach was like to produce great mischiefs,
 and cast the whole kingdom into confusion. That for pre-
 vention of these dangers, they had sent him an express order
 to withdraw his army, requiring him to give exact obedience
 thereto.

The same day the commons voted, that the eleven acqui-
 sed members should be received into the house; accordingly
 most of them came and took their places on the morrow.

On the 31st, the two houses published an ordinance, en-
 abling the committee of the militia of London to punish

It was likewise declared, That
 the ordinance of the 19th of July,
 which put under the command of Sir
 Thomas Fairfax all the land-forces,
 did not give him any power over the

trained-bands, garrisons, &c. And
 this declaration was ordered to be print-
 ed and published in London, by sound
 of trumpet. Whitelock, p. 262.

The parlia-
 ment orders
 the general
 to remove
 the army
 farther from
 London.
 July 30.
 Id. p. 654.

Vote to re-
 ceive the
 eleven
 members.

Id. p. 647.
 652.

Preparations
 in London.

Id. p. 652,
 655.

CHAR. I. such as did not repair to their colours, and to chuse a major-general, or any other officer for the forces raised or to be raised within the city of London; and Massey, Waller, and Pointz were employed in forming regiments and companies.

The army marches towards London.

Rushworth, VII. p. 750. Clarendon, III. p. 48.

The general delivers to the parliament's commissioners proposals for peace, with a declaration.

Rushworth, VII. p. 731, 738.

The two speakers, and the rest of the absent members, cast themselves upon the army's protection.

Rushworth, VII. p. 750, 754.

Whitelock, p. 262. Clarendon, III. p. 48.

Reasons of the conduct of the speakers and the rest.

Though the parliament and city made great preparations, the army were under no apprehensions. They knew, that two or three days were not sufficient to discipline an army levied in haste in the city, and enable it to withstand twenty thousand victorious troops, well supplied with arms, ammunition, and ordnance. They continued therefore their march to the general rendezvous at Hounslow-heath, within twelve miles of London. Mean while, the general delivered to the parliament's commissioners, certain proposals to be negotiated between the parliament and army, for settling the peace of the kingdom. At the same time, he put into their hands a declaration by the council of war, wherein the officers said, Though the late violence done to the parliament rendered all proceedings in the way of treaty vain and hopeless, till the parliament should be restored to a condition of freedom, yet they had thought good to make this public tender of proposals to the consideration of the kingdom, wherein all men might see the integrity of their intentions, and the bottom of their desires. These proposals related intirely to the public, without any mixture of the private views of the army.

Mean while, the two speakers, and the rest of the members of both houses who had absented themselves, to the number of sixty-six, came to the general, desiring his protection, and saying, that as there was no free sitting for them in the parliament, they had quitted the houses for fear of being torn in pieces by the mob. Nothing could be more agreeable to the army than this request, which authorised them, without their being forced to seek other pretences, to march to London to re-instate the members supposed to be driven from the parliament by the populace. From that time, they would no more own the two houses for parliament, but paid to the speakers and members who attended them, the same respect as they would have done to the parliament itself.

It was very strange, that zealous presbyterians, such as were most of the absented members, should have recourse to the army's protection, against the endeavours of their brethren in both houses and the city, to prevent the independents from trampling upon presbyterianism. The most probable reason of this proceeding, I think, is, that these mem-
bers

bers imagined, their brethren and the common-council of London were taking wrong measures, and would be infallibly oppressed by the army. It was therefore very natural for men in this belief, to endeavour to avoid being involved in the ruin their party was threatened with, and to chuse rather to continue to dissemble their sentiments, as they had done for some time, than be exposed in vain to inevitable, as they thought, calamities. To this may be added, that among these members there were some independents, who earnestly laboured to persuade the rest to this course, as we are informed by Ludlow's memoirs, who was of this number and party. The lord Clarendon gives another reason, which seems not so natural. He pretends, these members believed, the army designed to restore the king to all his rights, and seeing there were not forces sufficient to hinder it, they were willing to avoid the effects of his vengeance, by concurring with the army in his restoration. But, besides that the event showed, the independents had no such intention, it is certain they had not hitherto expressed it, unless some civilities paid the king since he was in their hands, are to be considered as real proofs of this intention. Moreover, the army had just given a sensible proof, that their design was not to restore the king to all his rights, by the proposals lately delivered to the parliament's commissioners, whereby the king's prerogatives were intirely subverted, as will hereafter appear.

CHAR. I.
1647.

T.I. p. 207,
&c.
T.III. p. 48.

However this be, the army improved the desertion of these members to justify their advance towards London, and to show that their aim was only to prevent a new war, which the members at Westminster, and the common-council of London, had a mind to excite. To this purpose, they published a manifesto, containing the reasons of their marching to London; the substance whereof was to this effect:

“ That the army was formerly led, by the grounds then declared, to advance towards the city of London; but having received from the parliament and city some hopes of satisfaction, they yielded a speedy compliance to their desires for their removal to a farther distance. And being in this secure way, and labouring after the sudden settlement of the kingdom, they had even brought to perfection, particular proposals to be sent to the parliament, for a final conclusion of all their troubles; but the kingdom's enemies being most vigilant to frustrate those good intentions of theirs, had endeavoured to cast the kingdom into a new and bloody war: and for that end had pro-

The army's
manifesto.
August 2.
Rushworth,
VII. p. 744.

CHAR. I.
1647.

“cured the under-hand lifting of several reformado’s, and
“others, and contrived a wicked and treasonable combina-
“tion; as it was sufficiently manifested by a declaration
“passed thereupon by both houses of parliament the 23d of
“July last, for the prevention of the disturbances that
“were like to ensue thereupon; from which kind of dis-
“orders the city had been well preservd, during the space
“of almost four years, whilst the militia was in the hands
“of the old commissioners, whereby it appeared, there
“was cause for the army to intreat the parliament, that
“the militia might be returned into the hands it was in
“before.

“That those old commissioners of the militia were not
“only persons without all exception, but also men of whom
“the kingdom had had above four years experience in the
“faithful discharge of their trust, and that were always
“most desirous of a peace. Yet, on a sudden, this trust,
“which they had so faithfully discharged so long, was ta-
“ken out of their hands, and put into the hands of others,
“some whereof had been very cool in the service of the
“parliament; and this was pressed, and in a manner forced
“upon the parliament, with the utmost importunity. These
“things ministred great cause of suspicion, that that altera-
“tion of the militia was in order to make the terms of the
“peace, and agreement with the king, more suitable to the
“private undertakings of some men, than to the public
“welfare of the whole kingdom. But this design discovered
“itself more clearly, in that at the same time that the altera-
“tion of the militia of London was set on foot, the same
“persons with as much earnestness pressed for the disband-
“ing of the army, before any thing was settled for the
“security and liberty of the kingdom. At the same time,
“the common-council was new modellized, a lord-mayor
“chosen that might suit with the present design, and divers
“persons were left out of the common-council and militia
“of eminent deserts and fidelity, and others brought into
“their rooms, that had either testified an ill affection, or
“little affection to the parliament and their cause. That
“the honour of the parliament was continually trampled
“under foot, and their authority affronted by every rabble
“of women, apprentices, reformado’s, and soldiers, till at
“length it was risen to the height of monstrous violence
“against the parliament, that they might set themselves on
“work, and the kingdom on fire again. That at length,
“the design appeared open-faced, and though the militia
“was

“ was made the principal ground of the quarrel, yet the CHAR. I.
 “ pressing so much the king’s coming to London to confirm 1647.
 “ the same, shewed that the militia was desired but in order
 “ to that design, and to force the parliament to such terms
 “ of peace as they pleased.

“ That the interest of the common-council, in their
 “ change of the militia, was claimed as the birth-right of
 “ the city of London; but such a claim could not justly
 “ be held up against both houses of parliament: for then
 “ who should be master of the parliament’s freedom and
 “ resolutions? and who should be masters of the birth-rights
 “ of the whole kingdom, when there should be no army on
 “ foot?

“ That the army discerning how intimate some of the
 “ new militia were with some of the eleven accused mem-
 “ bers, and how forward they were to comply and act with
 “ them in their endeavours to raise a new war, found it
 “ necessary to desire, That the militia might be put into
 “ the hands wherein it was formerly, that the army being
 “ secured by that means from danger, might with the more
 “ confidence retire further from the city. Which, accord-
 “ ing to their desire, being restored again into the hands of
 “ the old commissioners, several petitions were presented to
 “ the common-council of the city of London, in the name
 “ of the apprentices and others, importing their desires, that
 “ the militia of the city might continue in the hands of the
 “ former commissioners, according to the ordinance of the
 “ 4th of May last; whereupon the common-council of the
 “ city presents their petitions to both houses for changing
 “ the militia, wherein the house of lords refuse to alter
 “ their resolutions; the house of commons answered, they
 “ would take it into consideration the next morning; not-
 “ withstanding which, the city and kingdom could not be
 “ ignorant, with what rage and insolency the tumult of ap-
 “ prentices the same day forced both houses; they blocked
 “ up their doors, threatening them, if they granted not their
 “ desires; and in this outrageous manner continued at the
 “ house eight hours together; after which, the house rising,
 “ the speaker, and many members going out, they forced
 “ them back again into the house. And during the time
 “ of that violence, Westminster-hall and the Palace-yard,
 “ was filled with reformato’s, and other ill-affected persons
 “ designed to back them. After that, the houses being ad-
 “ journed, the apprentices printed and posted a paper in
 “ several places of the city, requiring all their fellows to
 “ be

CHAR. I. "be early at the parliament the next morning, for that they
1647. "intended to adjourn by seven of the clock, and that for a

"month. Thus the speakers, with many of the members,
"were driven away from the parliament. All men there-
"fore might judge of the justness of the cause the army had
"engaged themselves in. And if after so much blood and
"treasure spent, all that they were to hope for, and rest
"in, was only what the king had granted in his message of
"the 12th of May last, what must become of the king-
"dom? &c. &c.

"Lastly, the army declared, that they would stand by
"all such members of either house of parliament, as were
"forced to absent themselves from Westminster, and use
"their utmost and speedy endeavours, that they might with
"freedom and security sit there again. They likewise de-
"clared against the choice of a new speaker, and against
"all orders, votes, or resolutions forced from the house on
"the 26th of July last, and such as should be passed till
"those members were restored again: that they thought
"themselves bound to bring to condign punishment the
"authors and fomentors of the violence done to the parlia-
"ment, and expected that the people of London would de-
"liver up to them the eleven members impeached. But
"if any in the city should engage themselves to protect
"those members, and so put the kingdom again into a war,
"the blood must be laid to the account of such persons.

"And whereas some had possessed the minds of men,
"that they gaped only after the plunder of the great and
"wealthy city of London; they declared from their hearts,
"that they abhorred the thought thereof: but as they were
"informed, that the city of Westminster, and the borough
"of Southwark, were brought into a hard condition, by
"claiming a right not to be subjected to a militia, without
"their own consent, they promised to assist them for the
"obtaining of their just desires and immunities.

"That when these things were duly settled, they should
"be as ready to assure unto the king his just rights and au-
"thority, as any that pretended it never so much."

The com-
mon-coun-
cil alter
their resolu-
tion.

The next day, the army being drawn together on Houn-
slow-heath^r, the common-council of London began to fear
the

^q This intirely destroys the reason
of the members absenting themselves,
alleged by the lord Clarendon. Ra-
pin.

^r At this rendezvous were present
the earls of Northumberland, Salis-

bury, Kent; the lords Grey of Werk,
Howard, Wharton, Say, and Mul-
grave, and others, about fourteen
lords; the speaker, and about a hun-
dred members of the house of com-
mons. The army, consisting of twenty
thousand

the danger to which the city would be exposed, if the army should force the lines, which was but too likely, and this apprehension caused them to take more moderate resolutions.

So taking occasion from the army's late declarations, they writ to the general, that understanding, by the declaration, that the army's intention was only to restore the absent members to their places in the parliament, the city was ready to concur with them in their design. That accordingly, he should find all ports and passes open, and for removing all misunderstanding, they had recalled their late declaration. The general answered, That he wished all the forts on the west side of the city were delivered to him, and he was immediately obeyed. After that, he writ to the common-council, that the preserving of the privileges of the parliament, and securing the members from violence, had been the sole cause of his near approach to their city.

The 6th of August, the general, preceded by some regiments of horse, and attended by the two old speakers, and the members who had absented themselves, came to Westminster, and alighted at Sir Abraham William's house in New-palace-yard. He staid there some time, whilst the two speakers¹, and the rest of the members repaired to their respective houses.

Presently after, the house of peers passed an ordinance for making general Fairfax constable of the Tower, with power to name a deputy, to which the commons consented. After that, the general was desired to come to the parliament, where he received the thanks of both houses. The same day, the parliament ordered, that the 12th should be a day of thanksgiving to God, for restoring the members of both houses to their just privileges, *without the effusion of blood*, and that a gratuity of a month's pay should be given to the non-commissioned officers and soldiers for this great service. The following days were spent in approving and ratifying

C c 3

thousand horse and foot, being drawn up in battalia with reserves, the general, accompanied with these lords and commoners, and other gentlemen, rode along, and took a view of the army, from regiment to regiment, who received them with great acclamations of the soldiers, crying, Lords and commoners, and a free parliament. The prince elector Palatine came also and viewed the army, being received by the general with great respect. Whitelock, p. 263. Rushworth, Tom. VII. p. 750;

¹ When a scout came in, whilst the city militia and common council were sitting, and brought news, That the army made a halt, or other good intelligence, they cried, One and all. But if the scouts brought intelligence that the army advanced nearer to them, then they would cry as loud, Treat, treat, treat. At last, they agreed to send the general an humble letter. Whitelock, p. 263.

² The earl of Manchester for the lords, and Lenthall for the commons.

CHAR. I.
1647.

and try to
appeal the
army.
Aug. 3.
Rushworth,
VII. p. 743;
751.

The forts
about London
are delivered
up to the
general,
p. 752.
Whitelock.

He comes
to London,
and restores
the speakers
and the rest
of the mem-
bers.
Rushworth,
VII. p. 756.
Clarendon,
III. p. 57.
He is made
governor of
the Tower,
and thank-
ed.
Rushworth,
VII. p. 757;
758, 759.
Whitelock.

The parlia-
ment ap-
proves of
what the
army had
done.

CHAR. I. what the army had done. But this was not all. The lords
1647.

Dispute between the lords and commons. Rushworth, VII. p. 759, &c. 784.

posed. The first was, the making null all acts, done from the 26th of July to the 6th of August. The commons were ready to give their consent, provided it was without declaring them illegal. This dispute held till the 20th, when the commons passed at length the ordinance demanded by the peers, but with this restriction: *'That no person shall be impeached or punished, for his acting by, or upon, the said votes, orders, or ordinances, unless he shall be found guilty of contriving or abetting the visible force put upon the parliament, or of entering into, or promoting the late engagement, for the bringing the king to the city, upon the terms and conditions expressed in his majesty's letters of the 12th of May last.'*

Id. p. 778, 78a.

Rushworth, VII. p. 778, 78a. Whitelock.

The second thing desired by the lords was, that it should be declared, the parliament was not free from the 26th of July, to the 6th of August, and that the members who assembled at Westminster, in the absence of the speakers, should be expelled the parliament and punished. This question being debated a whole day in the house of commons, was carried in the negative, but by three voices.

The lords insisted upon this point merely out of compliance to the army, who, by a remonstrance to the parliament, had demanded the same thing, declaring, they could not suffer such members as sate and voted during the absence of the speakers, to intrude themselves into the parliament before they had given satisfaction to their respective houses. Nevertheless, this affair was carried no farther. Only seven lords^w, with the lord-mayor, several aldermen, and some officers of the militia were accused of high-treason for being concerned in the tumult of the 26th of July, which was called an intention to excite a new war.

Sept. 8. Rushworth, VII. p. 804, 806. Whitelock.

The king's state and condition.

He is flattered by the army.

Clarendon, III. p. 38, &c. Ludlow, T.I. p. 194, 195.

Whilst these things passed between the parliament and army, the king was not only very quiet, but even entertained great hopes from this division, and flattered himself, that the army would declare for him. Their civility and complaisance to him seemed to promise him a happier state, than when in the hands of the parliament. Three of his chaplains^x were allowed to come to him, and celebrate di-

vine

^w The question put was, Whether it should be declared, what was done from the 26th of July to the 6th of August to be forced, and that sitting no free parliament? Which was carried in the negative. The other part of the question, as put by Rapin, was not debated at this time.

^w The earl of Suffolk, the lords Willoughby of Parham, Hunsdon, Mainard, Berkley, with the earls of Lincoln and Middlesex. Whitelock, p. 268.

^x There were four allowed to come to him; namely, Dr. Sheldon, Motley, Sanderfon, and Hammond, See Clarendon, Tom. 3. p. 38.

vine service, after the manner of the church of England, and all his old servants and domestics had liberty to see and speak with him. Berkley, Ashburnham, Capel, the marquis of Ormond himself, who had at last surrendered Dublin to the parliament, saw him as often as they pleased in public or private, and the two first were now in his service. The Scotch commissioners residing at London, frequently visited him, and expressed a great desire to serve him. As they knew, that the independents were sworn enemies of their nation, they began to perceive, it was their interest to join with the king against their common enemies. Mean while, the civilities shown the king were but the effect of the policy of Cromwell and his associates ⁷. They were not ignorant how the parliament and city of London stood affected to them, and were persuaded, that after all, the presbyterians would chose rather to agree with the king, than see the independents triumph. To prevent this union it was, that they had caused the king to be removed from Holmby, without either the general-officers, or the body of the army appearing in it, to a place where his person was in their power. On the other hand, the king was extremely caressed by them, and even put in hopes of a speedy agreement with the army, as well to divert him from the thoughts of uniting with the parliament, as to deprive the presbyterians of the hope of such an union. In every declaration and remonstrance of the army, there was always something inserted to express their desire, that the king might be restored to his just rights. But it was ever with this restriction, *'when the affairs of the government should be fully settled,'* that is, in the manner they desired, and they knew, it would then be easy to find occasion to quarrel with the king, and retract what they seemed to promise him.

The king was deceived by this policy. As he saw himself courted by both parties, he imagined, they could not be without him, and that he should quickly be able to incline the scale to which side he pleased. Nay, he fancied for some time, that the two parties would accept him for mediator. In this imagination he expressed a regard for both, and told them by turns, though very secretly, he would be guided by their counsels. Mean while, as he mortally hated the presbyterians, he was much more desirous to join with the army, if they would but have granted him tolerable conditions,

CHAR. I.
1647.

He conceives great hopes, but is over-reached by Cromwell. Id. p. 198, — 205.

Clarendon, III. p. 40, &c.

C c 4

⁷ The ground of their civilities was, to engage him and the cavaliers to their side, after they had made the parlia-

ment, the Scots, and the city of London, their enemies. Ludlow, Tom. I. p. 194.

CHAR. I. ditions, as they made him expect. Nevertheless, he listened
 1647. to the proposals of the Scotch commissioners, to put himself
 under the protection of the presbyterians and Scots, and
 Rushworth, thereby hoped to be safe, however the contests between the
 VII. p. 767, parliament and army might end. In the mean time, he
 Ludlow. suffered himself to be amused by Cromwell and Ireton, who,
 T. II. p. 222. on pretence they were suspected by both houses, seldom vi-
 sited him, but however, acquainted him with their inten-
 tions, by means of some officers, who could converse more
 freely with him or his confidants. Though he was used
 very civilly, he was narrowly watched, and at the very time
 he thought himself arbiter of the two parties, was really a
 prisoner. Since his removal from Holmby, he had followed
 the motions of the army, and resided sometimes in a town,
 and sometimes at a country house. According as the army
 thought fit. At last, when the army had their rendezvous
 on Hounslow-heath, in order to march to London, he was
 conducted to Hampton-court *.

After the
 army was
 uppermost,
 the king had
 not the same
 respect paid
 him.
 Clarendon,
 III. p. 55,
 57.

The revolution, which happened within a few days, and
 which brought the parliament in subjection to the army,
 proved fatal to the king. He had quickly cause to perceive,
 Cromwell and Ireton had only amused him with vain hopes.
 The army was no sooner master of the parliament and city,
 but the king saw himself not only neglected, but even treated
 more hardly than ever. The same respect was no longer
 paid him, and his guards would scarce suffer his servants to
 confer with him in private. In short, he was left a long
 while at Hampton-court, without mention of any accom-
 modation, whilst his words, his actions, and the persons
 that came to visit him, were carefully watched. Nay, the
 Rushworth, Scotch commissioners were hindered from seeing him, of
 VII. p. 73. which

* June 24, he was removed from
 Newmarket to Roydon; the 26th, he
 came to Hatfield-house in Hertford-
 shire; July 1, to Windsor; July 3, to
 Caversham, a house of the lord Cra-
 ven's, near Reading; July 22, to the
 earl of Devonshire's houses at Latimer's;
 thence to Woburn, the earl of Bed-
 ford's; and then to Stoke-pogey's and
 Oatlands's. Rushworth, Tom. VI.
 p. 592, 593, 603, 604, 639. Whilst
 he was at Caversham, July 15, his
 children, now under the earl of North-
 umberland's care, were permitted to
 dine with him at Maidenhead, and af-
 terwards to go and stay with him two
 days at Caversham. Prince James had
 been in the parliament's hands ever
 since the surrender of Oxford. This

favour was denied him whilst he was at
 Holmby. Rushworth, Tom. VI. p.
 593, 612, 613, 625. Clarendon, Tom.
 III. p. 38, 43, 44.——Concern-
 ing this interview, Ludlow relates the
 following remarkable story, Crom-
 well meeting soon after Sir John
 Berkley, told him, that he had lately
 seen the tenderest sight that ever his
 eyes beheld, which was the interview
 between the king and his children;
 that he (Cromwell) wept plentifully
 at the remembrance thereof, saying,
 that never man was so abused as he,
 in his sinister opinion of the king, who,
 he thought, was the most upright and
 conscientious of his kingdom. Lud-
 low, Tom. I. p. 199.

which they complained to no purpose. But before I proceed to speak of the king and his circumstances it will be necessary to relate what passed in the army and parliament, whilst the king was left at Hampton-court almost forgotten, though he served sometimes for pretence to several papers.

When the army resolved to oppose the parliament's design to disband them, they pretended, they would meddle only in their own affairs, without concerning themselves with the government of church or state. The demand of arrears was at first the only point whereon they founded their refusal of being cashiered. After that, finding it was not impossible to give them satisfaction upon that article, they demanded reparation for their honour, and a full vindication from the pretended crimes, on which the parliament had grounded their declaration against the authors of the first petition. Then they required, that the parliament should solemnly declare, it was the privilege of the subject, and of the army in particular, to present petitions. After which they formed the councils of war, and agitators, who not content with desiring things relating to the army, inserted in their remonstrances, sundry articles concerning the government. Lastly, the king was removed from Holmby by the authority, as it was pretended, of the army, though the general affirmed, that neither himself, nor the other general-officers, nor the body of the army, were privy to it; and by this same authority, how chimerical soever it appeared, was the king kept in the quarters of the army.

As soon as the army had the king in their power, they pretended to a right of settling the government of the kingdom with the parliament. They nominated commissioners to treat upon that subject, with those of the parliament. In short, just as they were preparing to march to London, the general delivered to the parliament's commissioners, propositions from the army, to settle the government, of which, not so much as one related to the particular concerns of the army. The propositions were these:

Articles proposed by the army, to be treated on by the parliament's commissioners.

“ I. THAT (things hereafter proposed being provided for by this parliament) a certain period may, by act of parliament, be set for the ending of this parliament, such period to be put within a year at most, and in the same act provision to be made for the succession and continuation of parliaments in future, as followeth:

“ I. That

CHAR. I.
1649.

Aug. 1.
Rushworth,
VII. p. 731.

CHAR. I.

1647.

" 3. That there be commissioners in the several counties
" for the standing militia, with power for the proportioning,
" regulating, training, and disciplining of them.

" 4. That there be a council of state, with power to su-
" perintend and direct the several and particular powers of
" the militia last mentioned.

" 5. That the same council may have power as the
" king's privy-council, for and in all foreign negotiations;
" provided that the making of war or peace with any other
" kingdom or state, shall not be without the advice and
" consent of parliament.

" 6. That the said power of the council of state be put
" into the hands of trusty and able persons now to be agreed
" on, and the same persons to continue in that power (*si*
" *bene se gesserint*) for a certain term not exceeding seven
" years.

" 7. That there be a sufficient establishment now provided
" for the salary of the forces both in England and Ireland,
" the establishment to continue until two months after the
" meeting of the first biennial parliament.

" IV. That an act be passed for disposing the great offices
" for ten years by the lords and commons in parliament; or
" by such committees as they shall appoint for that purpose
" in the intervals (with submission to the approbation of the
" next parliament) and after ten years they to nominate
" three, and the king out of that number to appoint one
" for the succession upon any vacancy.

" V. That an act be passed, for restraining of any peers,
" made since the 21st day of May 1642, or to be hereafter
" made, from having any power to sit or vote in parliament
" without consent of both houses.

" VI. That an act be passed for recalling and making
" void all declarations and other proceedings against the
" parliament, or against any that have acted by, or under
" their authority in the late war, or in relation to it; and
" that the ordinance for indemnity may be confirmed.

" VII. That an act be passed for making void all grants,
" &c. under the great-seal, since the time that it was con-
" veyed away from the parliament, (except as in the par-
" liament's propositions) and for making those valid that
" have been or shall be passed under the great-seal, made
" by the authority of both houses of parliament.

" VIII. That an act be passed for confirmation of the
" treaties between the two kingdoms of England and Scot-
" land;

land; and for appointing conservators of the peace be-
twixt them.

“IX. That the ordinance for taking away the court of wards and liveries be confirmed by act of parliament; provided his majesty’s revenue be not diminished therein, nor those that last held offices in the same, left without reparation some other way.

“X. An act to declare void the cessation of Ireland, &c. and to leave the prosecution of that war to the lords and commons in the parliament of England.

“XI. An act to be passed to take away all coercive power, authority and jurisdiction of bishops---extending to any civil penalties upon any, &c.

“XII. That there be a repeal of all acts or clauses in any act enjoining the use of the book of Common Prayer, and imposing any penalty for neglect thereof, and for not coming to church, or for meeting elsewhere; and some other provision to be made for discovering of papists, priests, jesuits, &c.

“XIII. That the taking of the covenant be not enforced upon any; but all orders or ordinances tending to that purpose to be repealed.

“XIV. That (the thing here before proposed, being provided, for securing the rights, liberties, &c. of the kingdom) his majesty’s person, his queen and royal issue may be restored to a condition of safety, honour, and freedom in this nation, without diminution to their personal rights, or further limitation to the exercise of regal power than according to the particulars foregoing.

“XV. For the matter of composition, &c.

N. B. There are under this head six articles, which cannot be well understood, without knowing the particulars of an act wherein delinquents were placed under several heads or qualifications, and their composition settled accordingly. But the knowledge of that can be of no use at present.

“XVI. That there may be a general act of oblivion, &c.

“That such of the king’s party who shall appear to have expressed, or shall hereafter express their good affections to the peace and welfare of the kingdom, and to hinder the embroiling of the same in a new war, may be freed and exempted from compositions, or to pay but one year’s revenue, or a twentieth part.

“Next

CHAR. I.
1647.

" Next to the propofals aforefaid for the prefent fettling
" of a peace, the army defires, that no time may be loft
" by the parliament for difpatch of other things tending to
" the welfare, eafe, and juft fatisfaction of the kingdom,
" and in fpecial manner :

" I. That the liberty of the people to represent their
" grievances and defires by way of petition may be cleared
" and vindicated.

" II. That the common grievances of the people may be
" fpeedily confidered of, and effectually redreffed ; and in
" particular,

" 1. That the excife may be taken off from fuch com-
" modities, whereon the poor people of the land do ordina-
" rily live.

" 2. That the oppreffions and encroachments of foreft
" laws may be prevented for the the future.

" 3. All monopolies and restraints to the freedom of trade
" to be taken off.

" 4. That a courfe may be taken to rectify the inequality
" of rates lying upon feveral counties.

" 5. The prefent, unequal, troublefome, and contentious
" way of minifters maintenance by tithes to be confidered of,
" and fome remedy applied.

" 6. That the rules and courfe of law, and the officers
" of it may be fo reduced and reformed, as that all fuits
" and queftions of right may be more clear and certain in
" the iffues, and not fo tedious nor chargeable in the pro-
" ceedings as now.

" 7. That prifoners for debt may not, by embracing
" imprifonment, or any other ways, have advantage to de-
" fraud their creditors : and that fuch prifoners for debt,
" who have not wherewith to pay, may be freed from im-
" prifonment.

" 8. That none may be compelled to anfwer unto quef-
" tions tending to the accusing of themfelves, or their
" neareft relations in criminal caufes ; and no man's life to
" be taken away under two witneffes.

" 9. That confideration may be had of all ftatutes, and
" the laws or customs of corporations, impofing any oaths
" fo far as they may extend to the moleftation or enfnaring
" of religious and peaceable people, merely for non-confor-
" mity in religion.

" III. That the large power given to committees or de-
" puty-lieutenants, during the late times of war and diffrac-
" tion, may fpeedy be recalled and made void, and fuch

" powers

“ powers of that nature as shall appear necessary to be con- CHAR. I.
 “ tinued, may be put into a regulated way, and left to as 1647,
 “ little arbitrariness as the nature and necessity of things
 “ will bear.

“ IV. That the kingdom may be righted, and satisfied
 “ in point of accounts for the vast sums that have been
 “ levied.

“ V. That provision may be made for payment of ar-
 “ rears to the army, and the rest of the soldiers of the king-
 “ dom : and in the next place for payment of the public
 “ debts and damages of the kingdom ; and that to be per-
 “ formed, first, to such persons whose debts or damages
 “ are great, and their estates small, so as they are thereby
 “ reduced to a difficulty of subsistence : in order to all which
 “ (*continue they*) we shall speedily offer some further particu-
 “ lars, which we hope will be of good use towards public
 “ satisfaction.”

These proposals show, the army did not mean to leave to the parliament the sole power of settling the government, tho' when they were delivered to the commissioners, they had not yet subjected the parliament and city, as they did some days after. How much more therefore should they think themselves intitled to have a share in this settlement, after they had both houses at command? Certainly, if the army, had really desired, that the government should be settled, according to their proposals, there could not be a fairer opportunity, and the parliament would neither have been able nor have dared to oppose it. But, on the contrary, it is very likely, the army's design, in delivering these proposals, was only to retard the settlement by raising difficulties, which would require time to be removed. For instance, the XIth article, which supposed the restoring of the bishops, and the XIIIth, which left every one free to take or not to take the covenant, were directly contrary to the pretensions of the presbyterians. It was not for the interest of the independents that the government should be settled in the manner they proposed : but it was for their advantage to dazzle the people, and make them believe, the army desired only the peace and safety of the public, though in effect nothing was farther from the thoughts of the leaders and managers. This evidently appears, in that afterwards they never troubled themselves to press the two houses to proceed to this settlement. On the other hand, the parliament was yet the same it had been for some time, that is, almost wholly presbyterian, and consequently enemy of the independents,

Remark on
these propo-
sals.

CHAR. I. independents though obliged to show the contrary. The
 1647. earl of Manchester, speaker of the house of lords, was
 Cromwell's sworn enemy, though he had been the first to
 apply to the army for protection. The city of London was
 in the same disposition as the parliament, and, far from so-
 liciting the settlement proposed by the army, they were very
 glad it should never be mentioned, in expectation that time
 would afford some opportunity to settle the government
 without the intervention of the soldiery. It is therefore no
 wonder, this affair should be neglected, when neither army,
 nor parliament, nor city, wished to see it accomplished.
 Some steps however were now and then taken to make the
 public believe it was intended. But Cromwell and the
 other heads of the independents were very far from being
 willing to leave it to the parliament for ten years, to ma-
 nage the affairs of the kingdom as they pleased, to order the
 militia by sea and land, and raise what money they should
 think necessary. Much less would they have cared to let
 the people chuse every two years new representatives. All
 these things were only to throw dust in the people's eyes.
 The independents had a mind to be superior, as they were
 at length, and all their proceedings, though covered with
 the pretence of the public good, tended solely to that end.
 The design of the presbyterians, parliament, and city of
 London, was to ruin the independent-party, and the army
 their supporters. But as they were not sufficiently strong to
 effect it, their project was to join with the king and Scot-
 land, provided they could prevail with his majesty to abo-
 lish episcopacy. This is what was secretly contriving at
 London and Edinburgh, whilst endeavours were used to
 amuse the army by affected delays on their demand of pay
 and arrears, whilst the city of London declined to make
 the necessary advances, in order to render the army odious;
 by obliging them to oppress the people for want of pay.
 The army was yet ignorant of the secret practices against
 them in London. They incessantly demanded their pay,
 and the parliament favourably received their demands. Nay,
 they passed votes to grant them their desires; but some dif-
 ficulty always occurred to retard the performance, or if they
 were paid any money it was but a small part of their arrears.
 Three other affairs also employed the parliament and
 army for some time, and served for pretence to amuse. The
 first was, to settle what forces should be sent to Ireland; the
 second, how many troops were to be maintained in Eng-
 land; the third, to disband the supernumeraries.

Regulations
 touching the
 army.

Upon

Upon the first article, it was resolved to send into Ireland CHAR. I. 1647.
 six thousand foot, four thousand horse, and five hundred dragoons; and that the parliament's commissioners should confer with the general concerning the sending these forces, and the officers that were to command them. Rushworth, VII. p. 797, 795, 796. Id. p. 814.

Upon the second, it was ordered, there should be maintained in England seven thousand two hundred horse, eighteen thousand foot, and one thousand dragoons. It was pretended, these forces were continued in England to relieve those in Ireland in case of need. But it is likely, the army would not bear to be considerably lessened.

Upon the third, it was resolved that all the supernumeraries should be paid and dismissed.

But these things were executed very slowly by reason of several unexpected affairs, of which it will be necessary to speak.

Since the army had thought themselves out of danger from the parliament and city, their respect to the king was so diminished, that it was easy for him to perceive, he had nothing to expect from them, and that Cromwell had only amused him, the better to accomplish his own designs. Besides the visible alteration in the behaviour of those who had the custody of him, he had many other proofs of ill designs against him. In the first place, the army had sent him privately some propositions for peace, much worse than those presented to him at Newcastle; but he had rejected them with indignation^a, which the army very much resented. Secondly, Cromwell had very sharply reproached Ashburnham, who was then the king's confidant, that notwithstanding the army's regard for his majesty, he had secretly treated with the commissioners of Scotland to excite that kingdom against the army. This reproach inspired the king with the more dread, as it was true that he had privately treated with the Scotch commissioners, though he had concluded nothing with them, and could not conceive how Cromwell came to know it. He was therefore apprehensive, the army would assassinate, or poison him, to free themselves from the fear of his agreeing with the presbyterians. On the other hand, major Huntington, who had been employed by Cromwell to amuse the king with several private messages, finding at length he had been the instrument to deceive that unfortunate prince, warned him, that Cromwell was not sincere, and

The king resolves to make his escape from Hampton-court. His reasons for it.

Ludlow, T. I. p. 202.

Clarendon, III. p. 53, 59.

Id. p. 57. Dugdale's View, p. 263.

^a When the proposals were sent to him, he entertained them with very sharp and bitter language. See Ludlow, Tom. I. p. 204.

CHAR. I. and would destroy him if he was not prevented. Shortly
1647.

after he threw up his commission, and would serve no longer in the army. Nay, he went farther; for after quitting the service, he offered to discover to the parliament, Cromwell's ill practices, but they would not hearken to him^b. At last, the king received private notice every day, by indirect and extraordinary ways, that his enemies had ill designs, and he ought to take care of himself^c.

Clarendon,
III. p. 58,
59.
Herbert's
Mem.
He puts his
resolution in
practice.

Nov. 11.

Rushworth,

VII. p. 871.

Ludlow,

T. I. p. 214.

&c.

Heath.

Clarendon,

III. p. 59.

All these things made such an impression upon him, that he resolved, if possible, to escape out of the hands of the army. But it was not easy to determine where to retire. There was no safety for him in any part of the kingdom. The parliament and city of London were at the army's command, and though the presbyterians had been able to protect him, all he could expect from them was, that they would not attempt upon his life: So, probably, his intention was to transport himself beyond the seas^d. Ashburnham was his only confidant, for though he believed Berkley faithful, he had not so good an opinion of his discretion, as to trust him with such a secret. This resolution being taken, the king withdrew very early to his chamber, feigning to be indisposed, and, about one in the morning, went out by the back-stairs, and came with Ashburnham and Legg to the garden gate, where Berkley waited with horses^e. They rid all night with great speed, as well to escape all pursuers, as to get out of the quarters of the army, and in the morning, found themselves in the New Forest in Hampshire. Then the king asked Ashburnham, where the ship lay? Ashburnham riding before, as it were to get information, returned in some little time without any news of the ship; at which the king seemed very uneasy. Mean while, as it

was

^b He delivered in a paper to the house of lords, which was read there, containing reasons why he left the army, being a large narrative of the pretended carriages of Cromwell and Ireton, since the parliament's going to disband the army, in relation to overtures to his majesty. the proceedings against the lords, commons, and aldermen, that were impeached, &c. Rushworth, Tom. VII. p. 1214.

^c The auditors suspected, that Cromwell, Ireton, &c. had carried on a private treaty with the king, and accordingly endeavoured to wrest him out of their hands. Of this Cromwell gave the king notice, who thereupon resolved to make his escape from

Hampton-court. Ludlow, Tom. I. p. 214. Life of Cromwell, p. 60, &c. The lord Holles says, Cromwell was afraid the king should come to an agreement with the levellers, and so advised him to fly, upon pretence that his life was in danger. Mem. p. 185, &c.

^d To Jersey, says Manley, p. 158. Ludlow, Tom. I. p. 215.

^e There was a passage from the king's room into the garden, at a back door of which were discovered the treating of horses. The king left upon his table a letter to the parliament, and another to the general, Clarendon, Tom. III. p. 59.

was not safe for him to stay in the high-ways, he resolved to go to Titchfield, a seat of the earl of Southampton; where the earl's mother then lived with a small family. There he consulted with his three attendants, where he should go. It is said, Ashburnham was the first to advise him to retire to the isle of Wight, and put himself into the hands of colonel Hammond the governor, who was reckoned a man of honour. He must however have known, that Hammond was Cromwell's creature, by whose advice he had married a daughter of John Hampden, and who had lately procured him the government of the isle of Wight. Notwithstanding these reasons, which should have diverted Ashburnham from giving such advice, he ceased not to persuade the king, who after some objections consented to it, provided Hammond would faithfully promise not to deliver him up, though the parliament or army should require him, but to give him his liberty to shift for himself; if he was not able to defend him. Pursuant to this resolution, Ashburnham and Berkley repaired to the isle of Wight, to talk with the governor, who seemed very much surprised when they told him, the king was escaped from Hampton-court, and was willing to trust his person in his hands, upon the fore-mentioned terms. His answer was, he would do the king all the service that lay in his power; but as he was an inferior officer, he could not promise to disobey his superiors in what they should please to command him. After some fruitless endeavours to obtain a promise from him, he asked where the king was? They told him, he was not very far off, and at last, after some time spent in debate, it was agreed, he should go with them to the king. So they all three went together to Titchfield, and, at their arrival, Hammond stayed below, and Ashburnham went up to the king's chamber, to acquaint him that Hammond was in the house, but had not made any promise. Whereupon the king cried out, *O Jack, thou hast undone me!* With which Ashburnham falling into a great passion of weeping, offered to go down and kill Hammond, but the king would not consent to it. In short, the king sending for Hammond, endeavoured to persuade him to promise not to deliver him up; but Hammond still persisted in his first answer. Then the king, not knowing where to go else, and considering there was now perhaps no possible way to get from him, as he had the command of the country, and could call in what help he

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pleased,

^f He grew pale, and fell into such a trembling, that it was thought he

would have fallen from his horse. Ludlow, Tom. I. p. 218.

CHAR. I. pleased, resolved to go with him to the isle of Wight. He was conducted to Carisbrook-castle, where Hammond received him with his attendants, with all demonstrations of respect^g.

Remark on
the king's
flight.

When a man considers all the circumstances of the king's flight, he can scarce forbear thinking, he was betrayed on this occasion. His design was to go beyond sea, since he asked where the ship lay, but there was no ship ready; which was so great an oversight, that Ashburnham can hardly be thought to commit it through negligence or imprudence. Ashburnham is not satisfied with proposing to the king to trust himself with Hammond, a creature of Cromwell's, who, according to major Huntington's information, had resolved to destroy him, but even puts him under the necessity of confiding in him, though he refused to promise him protection. And yet, the lord Clarendon says very positively, he does not believe the king was betrayed by Ashburnham, nor did his majesty ever entertain the least jealousy of it. All therefore that can be said in favour of this confident of the king, is what the lord Clarendon hints, I mean, That he was outwitted by Cromwell, who by some one of his emissaries persuaded him, it should prove for his majesty's benefit, and his business be the sooner done, that he should withdraw to the isle of Wight. If this were so, Ashburnham, probably, thinking himself more able than the king, had a mind to serve him, whether he would or no, and not to be forced to answer the king's objections, believed to do him a service in concealing the secret, and putting him under an absolute necessity to take a course, which, in his opinion, was not the most proper. In that case, if it be not treachery, it is at least the greatest presumption and rashness a subject can possibly be guilty of to his prince. It is not easy to guess the reasons that could induce Ashburnham to imagine the king would be safe in the isle of Wight. It is to be presumed, he was deceived himself, and his easiness abused, to cause him to credit general promises, which signified nothing, and of which he durst not afterwards complain. Supposing no treachery in what he did, probably, his easiness to be deceived, procured him afterwards a very favourable and much lower than usual composition, which greatly contributed to increase the suspicions already conceived of him.

The

^g The parliament allowed him five thousand pounds for his expences there. His household was all dif-

solved. Rushworth, Tom. VII. p. 176. Heath, p. 151.

The parliament was informed of the king's escape by a letter from Cromwell, who gave the first notice of it, but without saying where the king was, though in all appearance he knew very well. He also sent a letter, which the king had left upon the table in his room, directed to both houses. He said in this letter,

"That liberty being in all times the aim and desire of all men, he had endeavoured to obtain his. He called God to witness, with what patience he had endured a tedious restraint, among men who changed their principles with their condition; who were not ashamed openly to intend the destruction of the nobility, by taking away their negative voice, and with whom the levellers doctrine was rather countenanced than punished: That he thought he was bound, as well by natural as political obligation, to seek his safety, by retiring himself for some time from the public view, both of his friends and enemies; but should earnestly and unceasingly endeavour the settling of a safe and well-grounded peace wherever he was. Finally, he desired to be heard with freedom, honour, and safety, and then he would instantly break through his cloud of retirement, and show himself ready to be *pater patriæ*."

The parliament at first believed, the king was come to conceal himself in London, till he should find an opportunity to escape out of the kingdom. They even gave orders to search after, and stop his person. But this uncertainty did not last long. On the 15th of November, the earl of Manchester, speaker of the house of lords, received a letter from colonel Hammond, informing him, that the king, from an apprehension of his life being in danger at Hampton-court, was come into the isle of Wight, to put himself under his protection.

The king, as may be observed, speaks in his letter of the principles of the levellers, which I think incumbent upon me to explain. There had been for some time a new faction in the army, called *levellers*, that is, men who declared, "That all degrees of persons should be levelled, and an equality established both in titles and estates, throughout the kingdom^a." This was a doctrine, much like that of Wat Tyler's followers in the reign of Richard II. This faction was grown so strong, that they began to make the

CHAR. I.
1647.
The king's letter to both houses left upon his table.
Rushworth, VII. p. 871.
Whitelock. Heath.

The parliament cause search to be made for the king in London.
Clarendon, III. p. 65.
Rushworth, VII. p. 872.
—874.

Who the levellers were.

Clarendon III. p. 67.

D d 3

general

^a According to some, they only maintained, That no person, of what rank, ought to be exempted from

the ordinary course of legal proceedings. Life of Cromwell, p. 65.

CHAR. I. general officers, and particularly Cromwell, very uneasy, who feared the new party would subvert all his projects, if 1647.

they were suffered to increase, though probably this spirit was raised by himself. They consisted of private soldiers and agitators, whom I have already described. During the contests between the army and parliament, the generals had put no restraint upon these men. They had allowed them to form a separate council, by means of their agitators, and the opinions of this council were received as being those of the army, because they were agreeable to the sentiments of the general officers. But as soon as the parliament was subdued, the general officers believed it proper to suppress these councils, and send the agitators to their respective regiments. This was more easily enjoined than executed. The soldiers refused to obey, and continued their assemblies and conferences, in spite of their officers, and the general's orders. Hence, probably, they acquired the name of levellers, because they pretended to have as much right as the officers and generals to settle the government; a principle tending to level all ranks and degrees, and consequently to breed confusion in the kingdom. The assemblies of the levellers produced sundry petitions; first, from the agitators of four regiments of horse, and afterwards of seven regiments of foot joining with them, wherein they made proposals for settling the government according to their humour, so that the general officers were not a little embarrassed. They were afraid the army would divide, at a time when their whole strength depended upon their union. For this reason, they at first bore in some measure with the levellers; which only increased the evil. At last, the insolence of these men being grown to a monstrous height, Cromwell undertook with the hazard of his life, to free the army and parliament from them. To that end, having notice that the levellers were to meet at a certain place, he came unexpectedly, attended with a chosen guard, and asking some questions of those whom he observed most active, and receiving insolent answers, knocked down two or three with his own hand, and, briskly charging the rest, so dispersed them, that he took as many as he pleased, whereof he hanged some on the spot, and sent others to London. By two or three such notable encounters, he totally subdued that party, which began to grow very dangerous, and reduced the army to entire obedience. But this was not yet effected, when the king made his escape from Hampton-court, and therefore

Cromwell
dispersed
them.
Clarendon,
III. p. 67.
Ludlow,
T. I. p. 222.

therefore he mentions the levellers in his letter, as a party CHAR. I.
subsisting. 1647.

When the king writ this letter to both houses, he hoped to be quickly out of the power of the army and parliament, and assuredly expected no answer, since he intended to keep himself concealed. Besides, this letter required no answer, as he did nothing more than express his desire of peace. But finding himself still, contrary to his expectation, in the hands of the army and parliament, he conceived his escape from Hampton-court might be prejudicial to him, and interpreted as a design to hide himself, only to avoid answering the propositions for peace, which the parliament had prepared. For this reason, he resolved to send the following message to both houses :

Charles Rex,

“ **H**IS majesty is confident, that before this time, his two houses of parliament have received the message which he left behind him at Hampton-court, the eleventh of this month, by which they will have understood the reasons which enforced him to go from thence ; as likewise his constant endeavours for the settling of a safe and well-grounded peace, wheresoever he should be ; and being now in a place where he conceives himself to be at much more freedom and security than formerly, he thinks it necessary, not only for making good his own professions, but also for the speedy procuring of a peace, in these languishing and distressed kingdoms, at this time to offer such grounds to his two houses for that effect, which upon due examination of all interest, may best conduce thereunto.

The king's letter to both houses, Rushworth, VII. p. 88q. Whitelock. Heath.

“ And because religion is the best and chiefest foundation of peace, his majesty will begin with that particular.

The king's offers and proposals.

“ That for the abolishing of archbishops, bishops, &c. his majesty clearly professeth, that he cannot give his consent thereunto, both in relation as he is a christian and a king ; for the first he avows, that he is satisfied in his judgment, that this order was placed in the church by the apostles themselves, and ever since their time hath continued in all christian churches throughout the world, until this last century of years ; and in this church, in all times of change and reformation, it hath been upheld by

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¹ Though Cromwell totally subdued that spirit in the army, yet the lord Clarendon says, it continued and in-

creased very much in the kingdom. Tom. III. p. 67.

CHAR. I. "the wisdom of his ancestors, as the great preserver of
1647. "doctrine, discipline, and order, in the service of God.

"As a king at his coronation, he hath not only taken a
"solemn oath to maintain this order, but his majesty and
"his predecessors, in their confirmations of the great charter, have inseparably woven the right of the church, into
"the liberty of the subjects; and yet he is willing it be
"provided, that the particular bishops perform their several
"duties of their callings, both by their personal residence,
"and frequent preaching in their personal exercise, no act
"of jurisdiction or ordination, without the consent of their
"presbyters, and will consent, that their powers, in all
"things, be so limited, that they be not grievous to the
"tender consciences of others. He sees no reason why he
"alone, and those of his judgment, should be pressed to a
"violation of theirs: nor can his majesty consent to the
"alienation of church-lands; because it cannot be denied
"to be a sin of the highest sacrilege; as also that it subverts
"the intentions of so many pious donors, who have laid a
"heavy curse upon all such prophane violations, which his
"majesty is very unwilling to undergo: and besides the
"matter of consequence, his majesty believes it to be a
"prejudice to the public good, many of his subjects having
"the benefit of renewing leases, at much easier rates,
"than if those possessions were in the hands of private men,
"not omitting the discouragement it will be to all learning
"and industry, when such eminent rewards shall be taken
"away; which now lie open to the children of the meanest
"persons. Yet his majesty considering the great present
"distempers concerning church discipline, and that the
"presbyterian government is now in practice, his majesty,
"to eschew confusion as much as may be, and for the satisfaction
"of his two houses, is content, that the said government be legally permitted to stand in the same condition it now is, for three years; provided that his majesty,
"and those of his judgment, or any other, who cannot in
"conscience submit thereunto, be not obliged to comply
"with the presbyterian government, but have free practice
"of our own profession, without receiving any prejudice
"thereby; and that free consultation and debate be had
"with the divines of Westminster, twenty of his majesty's
"nomination being added unto them; whereby it may be
"determined by his majesty and the two houses, how the
"church government, after the said time shall be settled,
"or sooner, if differences may be agreed, as is most agree-
"able

“able to the word of God, with full liberty to all those
 “who shall differ upon conscientious grounds from that settle-
 “ment; always provided, that nothing aforesaid be un-
 “derstood to tolerate those of the popish profession, nor
 “exempt any popish recusants from the penalties of the
 “laws; or to tolerate the public profession of atheism or
 “blasphemy, contrary to the doctrine of the apostles, Ni-
 “cene, and Athanasian Creed, they having been received
 “by, and had in reverence of all the christian churches,
 “and more particularly by this of England, ever since the
 “reformation.

“Next, the militia being that right which is inseparably
 “and undoubtedly inherent to the crown by the laws of
 “this nation, and that which former parliaments, as like-
 “wise this, have acknowledged so to be, his majesty can-
 “not so much wrong that trust, which the laws of God,
 “and this land hath annexed to the crown, for the protec-
 “tion and security of his people, as to divest himself and
 “successors of the power of the sword; yet to give an in-
 “fallible evidence of his desire to secure the performance of
 “such agreements as shall be made in order to a peace, his
 “majesty will consent to an act of parliament, that the
 “whole power of the militia, both by sea and land, for,
 “and during his whole reign, shall be ordered and disposed
 “by the two houses of parliament, or by such persons as
 “they shall appoint, with powers limited for suppressing of
 “forces within this kingdom, to the disturbance of the pub-
 “lic peace, and against foreign invasion; and that they
 “shall have power, during his said reign, to raise moneys
 “for the purpose aforesaid; and that neither his majesty that
 “now is, or any other, by any authority, derived only from
 “him, shall execute any of the said powers, during his ma-
 “jesty’s said reign, but such as shall act by the consent and
 “approbation of the two houses of parliament: nevertheless
 “his majesty intends, that all patents, commissions, and
 “other acts concerning the militia, be made and acted as
 “formerly; and that after his majesty’s reign, all the power
 “of the militia shall return intirely to the crown, as was in
 “the times of queen Elizabeth and king James of blessed
 “memory.

“After this head of the militia, the consideration of the
 “arrears due to the army is not improper to follow; for
 “the payment whereof, and the ease of his people, his ma-
 “jesty is willing to concur in any thing that can be done
 “without the violation of his conscience and honour.

“Wherefore

CHAR. I.

1647.

“ Wherefore if his two houses shall consent to remit unto
 “ him such benefit out of sequestrations from Michaelmas
 “ last, and out of compositions that shall be made before
 “ the concluding of the peace, and the arrears of such as
 “ have been already made, the assistance of the clergy, and
 “ the arrears of such rents of his own revenue as his two
 “ houses shall not have received before the concluding of the
 “ peace, his majesty will undertake within the space of eigh-
 “ teen months, the payment of four hundred thousand pounds
 “ for the satisfaction of the army; and if those means shall
 “ not be sufficient, his majesty intends to give way for the
 “ sale of forest-lands for that purpose.

“ This being the public debt, which in his majesty’s judg-
 “ ment is first to be satisfied; and for other public debts al-
 “ ready contracted upon church-lands, or any other engage-
 “ ments, his majesty will give his consent to such act or acts
 “ for raising of moneys for payment thereof, as both houses
 “ hereafter shall agree upon, so as they be equally laid;
 “ whereby his people, already too heavily burthened by these
 “ late distempers, may have no more pressures upon them
 “ than this absolute necessity requires.

“ And for the further securing all fears, his majesty will
 “ consent, that an act of parliament be passed for the dispos-
 “ ing of the great offices of state, and naming of privy-coun-
 “ sellors for the whole term of his reign, by the two houses
 “ of parliament, their patents and commissions being taken
 “ from his majesty, and after to return to the crown, as is
 “ expressed in the articles of the militia. For the court of
 “ wards and liveries, his majesty very well knows the conse-
 “ quence of taking that away, by turning of all tenures into
 “ common socage, as well in point of revenue to the crown,
 “ as in the protection of many of his subjects, being infants:
 “ nevertheless, if the continuance thereof seem grievous to his
 “ subjects, rather than he will fail on his part in giving sa-
 “ tisfaction, he will consent to an act for taking it away, so
 “ as a full recompence be settled upon his majesty and his
 “ successors in perpetuity^k; and that the arrears now due
 “ be reserved unto him towards the payment of the arrears
 “ of the army.

“ And that the memory of these late distractions may be
 “ wholly wiped away, his majesty will consent to an act of
 “ parliament for the suppressing and making null of all oaths,
 “ declarations, and proclamations against both or either
 “ house

^k The house of commons consented to allow him 20,000*l.* a year, as a recom-
 pence for it. Rushworth, Tom. VII. p. 852.

“ house of parliament, and of all indictments and other proceedings against any persons for adhering unto them. And his majesty proposeth, as the best expedient to take away all seeds of future difference, that there be an act of oblivion to extend to all his subjects. CHAR. I. 1647.

“ As for Ireland, the cessation therein is long since determined; but for the future, and all other things being fully agreed, his majesty will give full satisfaction to his houses concerning that kingdom.

“ And although his majesty cannot consent in honour and justice to void all his own grants and acts passed under his great-seal since the 22d of May 1642, or to the confirming of all the grants and acts passed under that made by the two houses, yet his majesty is confident, that upon the refusal of particulars, he shall give satisfaction to his two houses to what may be reasonably desired in that particular.

“ And now his majesty conceives, that by these his offers, which he is ready to make good upon the settlement of a peace, he hath clearly manifested his intentions to give full security and satisfaction to all interests, for what can justly be desired in order to the future happiness of his people, and for the perfecting these concessions, as also for such other things as may be proposed by the two houses; and for such just and reasonable demands as his majesty shall find necessary to propose on his part, he earnestly desires a personal treaty at London with his two houses, in honour, freedom, and safety; it being in his judgment, the most proper, and indeed only means to a firm and settled peace, and impossible without it to reconcile former, or avoid future misunderstandings.

“ All these being by treaty perfected, his majesty believes his two houses will think it reasonable, that the proposals of the army concerning the succession of parliaments, and their due election should be taken into consideration.

“ As for what concerns the kingdom of Scotland, his majesty will very readily apply himself to give all reasonable satisfaction; when the desires of the two houses of parliament on their behalf, or of the commissioners of that kingdom, or of both joined together, shall be made known unto him.”

The parliament took no notice of these offers. Besides that they saw only part of their former demands, they were always upon their guard with respect to the king's proposals, wherein it was but too usual to find ambiguous expressions, restrictions,

The parliament takes no notice of them.

CHAR. I. restrictions, and conditions expressed or implied, which made
1647. it impossible to build securely upon such foundations. We

have seen several instances in the king's papers, since the beginning of his reign; and in this here, where he carries his offers farther than ever, it was easy to perceive the same method; for he was very artful, as well as his father, in the choice of his expressions. Nay, it seems that in offering to yield the power of the militia, during his whole reign, an expression often repeated in these proposals, he had some secret intention, as to resign the crown to the prince his son. Otherwise, I do not see why he affected to substitute the term of his reign, instead of that of his life, or of twenty years, as was demanded by the parliament. At least it is certain, if his offer had been accepted, as expressed in his words, he might, by resigning the crown, have put the prince of Wales, by the treaty itself, in full possession of the militia, and nomination to the great offices. But this is only a conjecture, though very probable. Be this as it will, the two houses had long since refused to treat but upon their own propositions. Neither would they allow of his explications, so apprehensive were they of his subtleties, which would have engaged them in discussions where they would have always had the same thing to fear. Such was the distrust the king's character had bred, which made a reconciliation between him and the parliament ever impracticable. It must however be confessed, that on this occasion, there were other reasons which hindered the two houses from regarding the king's offers. The principal was, they were under the dominion of the army, or rather the independents, who were not for peace upon any terms whatever.

Negotiation
of the Scotch
commis-
sioners with
the king.
Clarendon,
III. p. 76.

During the king's stay at Hampton court, the Scotch commissioners, as I observed, had treated with him, and put him in hopes that the Scots would join with his party and the English presbyterians, to deliver him from the independents. But they required a thing which he could not resolve, namely, the change of episcopal government in the church of England into presbyterian. This single point had prolonged the negotiation, and hindered the conclusion of the treaty. Cromwell had some intimation of it, and probably for that reason used all his industry to cause the king to retire to the isle of Wight, where the Scotch commissioners could not have the same access to him.

Contest be-
tween the
parliament
and Scotch
commis-
sioners.

When the king went from Hampton-court, the proposals the two houses were to send him, were all ready. But the Scotch commissioners deferred from day to day to approve them,

them, on pretence the interests of Scotland were not sufficiently specified, expecting to agree with the king, before they should be presented. This dispute between the parliament and Scotch commissioners still subsisted, when suddenly the house of lords acquainted the commons at a conference, that having more maturely considered the king's last message, they were of opinion to admit him to a personal treaty, on condition he would give his assent to four preliminary propositions to be passed into acts before the rest should be treated on.

CHAR. I.
1647.

Rushworth,
VII. p. 850,
864. 884.
The lords
propose a
peace with
the king,
for his
assenting to
four bills.
Novem. 26.
Id p. 890.
Clarendon,
III. p. 67.
Whitelock.

1. An act for settling the militia of the kingdom.
2. An act for calling in all declarations, oaths, and proclamations, against the parliament, and those who adhered to them.
3. An act, that those lords who were made after the great-seal was carried to Oxford, may be made incapable of sitting in the house of peers.
4. An act for empowering the two houses of parliament to adjourn as they shall think fit.

The next day¹, the commons gave their consent to these propositions, and ordered, that the four bills should be drawn, and dispatched to his majesty, after which a personal treaty with him should be entered into. All this was done with so great expedition, that it was not possible for the independents to prevent what they were not prepared against. The Scotch commissioners, who had formed other projects, tried in vain to hinder the effect of this resolution. The parliament wished for peace, thereby to break the measures of the independents. The 6th of December, the king sent a fresh message to both houses, earnestly pressing for a personal treaty, as being the best means for settling a peace.

Novem. 27.
Rushworth,
VII. p. 915.

Id. p. 926.

The 14th of the same month, the commons, after passing the four bills, and approving the instructions for those that were to present them, named a committee to carry them to the king.

p. 932.
Whitelock.

Then they answered the complaints of the Scotch commissioners, that the four bills were not communicated to them. They said, it was contrary to the rights and privileges of parliament, to communicate bills to any person whatever, before they had received the royal assent, and that there was nothing in the treaty between the two kingdoms to the contrary: that they desired the Scotch commissioners to prepare such propositions as they should judge necessary

Rushworth,
VII. p. 932.
932.
Whitelock.

for

¹ Rapin by mistake, says three days after. See Rushworth and Whitelock.

CHAR. I. for the kingdom of Scotland, that the committee might depart on the 20th.

That day, the Scotch commissioners presented to both houses a large declaration, complaining in very high language, that the parliament of England violated the covenant, in labouring for peace without the concurrence of Scotland. They insisted upon a personal treaty between the king, both houses, and themselves, that peace might be settled with mutual consent; and declared, as they could not agree to the sending of the four bills to his majesty for his assent, before any treaty upon the rest of the propositions, so they were unsatisfied with the matter of these new proposals lately communicated to them; and desired, that there might be a personal treaty with the king, upon such propositions as should be agreed upon, with advice and consent of both kingdoms.

The parliament is offended with it.

Id. p. 939,

940.

The four bills are presented to the king.

Id. p. 946.

The Scots declare their dissent to them.

Clarendon,

III. p. 67.

Whitelock.

Heath,

p. 158.

This declaration gave great offence to both houses. Their reply to it was answerable in terms to the language used by the Scots; and it was ordered, that the printer of the declaration should be committed to prison.

In short, notwithstanding the opposition of the Scotch commissioners, the four bills were presented to the king the 24th of December. The next day, the Scotch commissioners came to the isle of Wight, and delivered to the king a declaration of their dissent to the propositions they had lately seen, and the four bills brought to his majesty. After that they had a conference with the king, wherein some things passed, which long remained secret, and which it will be necessary to relate, because on them turned the events mentioned hereafter.

Since the king had been in the power of the army, the Scots feared, he would unite with them. They knew they were mortally hated by the independents, and consequently, this union could not but be very prejudicial to Scotland. The army's success against the parliament and city of London increased their fear very much, and put them upon seeking means to prevent, as they thought, the impending danger. They found no properer means than to join with the king, provided he could be persuaded to approve of the covenant, and abolish episcopacy in England. In their frequent conferences with him at Hampton-court, they intimated, that when he was delivered to the parliament, it was not with the advice of all Scotland, but only by the marquis of Argyle's credit, who tyrannized over the kingdom: that all the Scots were displeased with it, and ready to atone for the

Clarendon,
III. p. 76,
&c.

the fault, by assisting him with all their power to recover CHAR. I. his just rights. But they added, that to engage the Scots 1647. to employ their forces to this end, his majesty was to give them satisfaction concerning the covenant, and the abolition of episcopacy in England, for, otherwise, he could not expect the assistance of the English presbyterians, which was absolutely necessary. In a word, they made him hope, that the Scots would enter England with a strong army, which, by the junction of the king's party, and English presbyterians, would become so superior to the army of the independents, that he might almost be assured, nothing would be capable to oppose his restoration.

These overtures were the more agreeable to the king, as ibid. the duke of Hamilton, after his freedom from imprisonment by the army, had declared to the king's friends, he was ready to do his majesty all the service that lay in his power. On the other hand, the marquis of Ormond had informed the king of his project to return into Ireland, join with the lord Inchiquin, whom he had privately gained, and with some of the heads of the rebels, and make war upon the parliament, affirming, that France had promised to supply him with all necessaries. It was very probable, that the union between the king's party, the English presbyterians, and the Scots, added to a diversion in Ireland, would very much embarrass the independents, and disable them to withstand so great a force. But to execute this project, the king was to approve of the covenant, and consent to the abolition of episcopacy, which he could never resolve. These were the two stumbling-blocks, which hindered him from concluding a treaty with the Scotch commissioners, before his flight from Hampton-court. He would never grant these two points, and in expectation that by his steadiness he should induce the Scots to desist from their desires, quitted Hampton-court, without any agreement with them. When therefore he so earnestly pressed for a personal treaty at London, with honour, freedom, and safety, it was in order to treat more commodiously with the Scotch commissioners, and consult with his friends, what could be expected as well from his own, as the presbyterian party; and doubtless, in case he concluded a treaty with them, his design was to prolong the negotiation with the two houses, till the Scotch army had entered England, and his old and new friends laid all their measures^m. It was very likely,

^m This conjecture is confirmed by this rick, dated at Carisbrook, November 19, 1647, wherein he says, "That his majesty's letter to the earl of Lane-

" his

CHAR. I. this league would find the army so much employment, that
 1647. they would not be able to subdue, a second time, the parliament and city of London. Accordingly, this was the end the Scotch commissioners proposed to themselves, in their objections to the propositions, and in their demand of a personal treaty with the king, upon such proposals as should be agreed upon by both kingdoms, being well assured, it would be easy for them to prolong the time, till every thing should be ready.

The method the two houses took to procure the king's consent to the four bills, amongst which was that of the militia, before they admitted him to a personal treaty, convinced him, they had no design to relax upon any of the principal articles. He considered, that after passing these four bills, he should still be forced to treat on propositions much like those presented to him at Newcastle: that, after all, what both houses called treating, was, according to their ideas, consenting to their demands, and upon the least refusal to grant what should be proposed to him, he should be, perhaps, more closely confined, when he had passed one of the most important points in dispute: that then, he should not be able to treat with the Scots, and by passing the four bills, should lose the present opportunity, which might never offer again. These considerations determined him to agree with the Scotch commissioners, at a second conference with them the 25th of December. As there was no time to lose, the parliament's commissioners having orders to stay but four days in the isle of Wight, the Scotch commissioners had brought with them a treaty ready drawn, agreeable to the propositions they had made the king at Hampton-court. This treaty was signed by the king and the Scotch commissioners the next day, December the 26th, the king having had but few hours to resolve. Here follows the substance of the treaty, which the lord Clarendon says was read but by very few, and which he represents as the most unjust treaty that could be imposed upon the king. This obliges me to make remarks on some of the articles.

Clarendon,
 III. p. 82.

The substance of the treaty.
 Id. p. 78.

"IN the preface, the king acknowledged, that the intentions of those who had entered into the covenant, were real for the preservation of his majesty's person and authority, his message from thence to both houses will, he believes, have divers interpretations, and be disliked by the Scotch commissioners, but the end of it was to procure a personal treaty. This he thought necessary to tell him, that he might assure his fellow commissioners, that change of place had not altered his mind, from what it was when he saw him last." *Memoir of the duke of Hamilton*, p. 325.

“thority, according to their allegiance, and no ways to CHAR.I.
 “diminish his just power and greatness. He promised, as 1647.
 “soon as he could, with freedom, honour, and safety, to
 “be present in a free parliament, to confirm the said league
 “and covenant by act of parliament in both kingdoms, for
 “the security of all who had taken or should take it.”
 With this proviso however, “That none who was unwill-
 “ing should be constrained to take it (1).”

REMARK (1.) If it is considered that the Scots joined their forces with those of England, only in defence of the covenant, which had been solemnly sworn to in both kingdoms, it will not be thought strange, the Scotch commissioners should require this promise of the king. Without this, there would have been no possibility to engage the Scots to employ their forces to restore the king to his rights, and how hard soever this condition might appear to him, it was absolutely necessary to produce the effect which he expected from his union with Scotland.

“His majesty engaged to confirm by act of parliament
 “in England, presbyterian-government; the directory for
 “worship; and the assembly of divines at Westminster for
 “three years; so that his majesty and his household should
 “not be hindered from using that form of divine service he
 “had formerly practised (2): and that during these three
 “years there should be a consultation with the assembly of
 “divines, to which twenty of the king’s nomination should
 “be added, and some from the church of Scotland; and
 “thereupon it should be determined by his majesty, and
 “the two houses of parliament, what form of government
 “should be established after the expiration of those years,
 “as should be most agreeable to the word of God.

REM. (2.) The Scotch commissioners were not so stupid as to imagine, the Scots with their forces alone should be able to restore the king. They depended chiefly upon the aid of the English presbyterians. But how was it possible for them to rely on their aid, if nothing were stipulated for them? Nay, it is astonishing they should be satisfied with an establishment which was to last but three years, considering how they themselves and the English presbyterians, whose assistance was absolutely necessary, stood affected. The king himself did not think, doubtless, he was forced upon this point, since he had offered the same thing to both houses, in his message of the 10th of December.

“That an effectual course may be taken by act of parliament, and all other ways needful or expedient, for the
 VOL. X. E e “suppressing

CHAR. I. " suppressing the opinions and practices of Anti-trinitarians,
 1647. " Arians, Socinians, Anti-scripturalists, Anabaptists, Anti-
 nomians, Arminians, Familyists, Brownists, Separatists,
 " Independents, Libertines, and Seekers, and generally,
 " for the suppressing of all blasphemy, heresy, schism, and
 " all such scandalous doctrines and practices as are contrary
 " to the light of nature, and to the principles of christianity,
 " whether concerning faith, worship, or conversation, or
 " the power of godliness, or which may be destructive to
 " order and government, or to the peace of the church and
 " kingdom (3.)

REM. (3.) All these sects mentioned in this article were no less enemies to the presbyterians than to the church of England. These three last articles being exactly what the king had offered in his message of the 16th of November, it cannot be said that he granted them through surprize or force.

" The king promised, that in the next session of parliament, after the kingdom of Scotland should declare for his majesty, in pursuance of this agreement, he should in person, or by commission, confirm the league and covenant in that kingdom; and concerning all the acts passed in the last parliament of that kingdom, his majesty declared, that he should then likewise be content to give assurance by act of parliament, that neither he nor his successors should quarrel, call in question, or command the contrary of any of them, nor question any for giving obedience to the same."

After these articles concerning religion, there was a long recital of " The agreement the parliament of England had made, when the Scots army returned to Scotland, that the army under Fairfax should be disbanded; and of that army's submitting thereunto; of their taking the king from Holmby, and keeping him prisoner till he fled from them to the Isle of Wight; and since that time both his majesty, and the commissioners for the kingdom of Scotland, had very earnestly desired, that the king might come to London in safety, honour and freedom, for a personal treaty with the two houses, and the commissioners of the parliament of Scotland, which, they said, had been granted, but that the army had, in a violent manner, forced away divers members of the parliament from the discharge of their trust, and possessed themselves of the city of London, and all the strengths and garrisons of the kingdoms: and that by the strength and influence of that
 " army,

“ army, and their adherents, propositions, and bills had CHAR. I
 “ been sent to the king without the advice and consent of 1647.
 “ the kingdom of Scotland, contrary to the treaties which
 “ are between the two kingdoms, and destructive to reli-
 “ gion, his majesty's rights, the privilege of parliament,
 “ and liberty of the subject; from which propositions and
 “ bills the Scotch commissioners had dissented, and protested
 “ against, in the name of the kingdom of Scotland.”

After this preamble and recital, they said, “ That foras-
 “ much as his majesty is willing to give satisfaction con-
 “ cerning the settling of religion, and other matters in dis-
 “ sence, as is expressed in this agreement, the kingdom
 “ of Scotland doth oblige, and engage itself, first, in a
 “ peaceable way and manner to endeavour, that the king
 “ may come to London in safety, honour, and freedom,
 “ for a personal treaty with the houses of parliament, and
 “ the commissioners of Scotland, upon such propositions as
 “ should be mutually agreed on between the two kingdoms;
 “ and such propositions as his majesty should think fit to
 “ make; and for this end, all armies should be disbanded;
 “ and in case that this should not be granted, that declara-
 “ tions should be emitted by the kingdom of Scotland, in
 “ pursuance of this agreement, against the unjust proceed-
 “ ings of the two houses of parliament, towards his majesty;
 “ and the kingdom of Scotland; in which they would assert
 “ the right that belonged to the crown, in the power of
 “ the militia, the great-seal, bestowing of honours, and
 “ offices of trust, choice of the privy-counsellors, and the
 “ right of the king's negative voice in parliament: and
 “ that the queen's majesty, the prince, and the rest of the
 “ royal issue, ought to remain where his majesty shall think
 “ fit, in either of his kingdoms, with safety, honour, and
 “ freedom: that upon the issuing out of this declaration,
 “ an army should be sent out of Scotland into England,
 “ for the preservation and establishment of religion, for de-
 “ fence of his majesty's person and authority, and restoring
 “ him to his government, to the just rights of the crown;
 “ and the full revenues; for the defence of the privilege of
 “ parliament, and liberty of the subject; for making a firm
 “ union between the kingdoms under his majesty and his
 “ posterity, and settling a lasting peace. In pursuance
 “ whereof, the kingdom of Scotland was to endeavour, that
 “ there might be a free and full parliament in England, and
 “ that his majesty may be with them in honour, safety,
 “ and freedom; and that a speedy period be set to the pre-
 “ sent

CHAR. I. sent parliament. And they undertook, that the army
 1647. "which they would raise, should be upon its march, be-
 fore the message and declaration should be delivered to
 the houses." It was farther agreed on, "That all such
 in the kingdoms of England and Ireland, as would join
 with the kingdom of Scotland, in pursuance of this agree-
 ment, should be protected by his majesty in their persons
 and estates; and that all his subjects in England or Ire-
 land, who would join with him, in pursuance of this
 agreement, might come to the Scottish army and join
 with them, or else put themselves into other bodies in
 England or Wales, for prosecution of the same ends, as
 the king's majesty should judge most convenient, and
 such commanders or generals of the English nation, as
 his majesty shall think fit: and that all such should be
 protected by the kingdom of Scotland and their army, in
 their persons and estates; and where any injury or wrong
 is done unto them, they would be careful to see them
 fully repaired, as far as it should be in their power to do;
 and likewise when any injury or wrong is done to those
 who join with the kingdom of Scotland, his majesty
 should be careful of their full reparation (4.)"

REM. (4.) When the five last articles are considered, it
 plainly appears, what great advantages the king received
 by his condescension to establish presbyterianism in England
 for three years. But some mens prejudice against presby-
 terianism, makes them think, the king paid very dear for
 the advantages he expected to reap from his union with
 Scotland.

They obliged his majesty to promise, "That neither
 himself, or any by his authority or knowledge, should
 make or admit any cessation, pacification, or agreement
 whatsoever for peace, nor of any treaty, propositions, bills,
 or any other ways for that end, with the houses of par-
 liament, or any army or party in England or Ireland,
 without the advice and consent of the kingdom of Scot-
 land; and reciprocally, that neither the kingdom of Scot-
 land, nor any, having their authority, should make or
 admit of any of these, any manner of way, with any
 whatsoever, without his majesty's advice and consent: and
 that upon the settlement of a peace, there should be an
 act of oblivion to be agreed upon by his majesty, and
 both his parliaments, of both his kingdoms: that his
 majesty, the prince, or both, should come into Scotland,
 upon the invitation of that kingdom, and their declara-
 tion,

tion, that they should be in honour, freedom, and safety, CHAR. I.
 when possibly they could come with safety and conveni- 1647.
 ence; and that the king should contribute his utmost en-
 deavour, both at home and abroad, for assisting the king-
 dom of Scotland, for carrying on this war both by sea
 and land, and all other supplies by moneys, arms, am-
 munition, and all other things requisite, as also for guard-
 ing the coast of Scotland with ships, and protecting all
 their merchants, in the free exercise of their trade and
 commerce with other nations: and likewise, that his
 majesty was willing, and did authorise the Scottish army,
 to possess themselves of Berwick, Carlisle, Newcastle
 upon Tyne, with the castle of Tinmouth, and the town
 of Hartlepool: those places to be their retreat, and ma-
 gazines; and that, when the peace of the kingdom
 should be settled, the kingdom of Scotland should remove
 all their forces, and deliver back again those towns and
 castles.

The king promised also, and undertook to pay the
 arrears of the brotherly assistance, and likewise the two
 hundred thousand pounds, which remained still due upon
 the last treaty, for return of the Scottish army, when they
 had delivered up the king (5.)

REM. (5.) If the four hundred thousand pounds promised
 to the Scottish army, when they quitted England, be con-
 sidered as the price of the sale of the king's person, nothing
 could be harder than to oblige the king to the payment of
 that sum. But if it was really due to the Scots for their
 arrears, the king approving of the covenant of both king-
 doms, by the first article of this treaty, the Scots could urge
 that he was bound to see them paid the expence they had
 been at in maintaining the covenant.

And also, "That payment should be made to the king-
 dom of Scotland, for the charge and expence of their
 army in this future war, with due recompence for the
 losses they should sustain therein; and that due satisfaction,
 according to the treaty on that behalf betwixt the two
 kingdoms, should be made to the Scottish army in Ireland,
 out of the lands of this kingdom, or otherwise: and that
 the king, according to the intention of his father, should
 endeavour a complete union of the two kingdoms, so as
 they may be one under his majesty, and all his posterity;
 or if that cannot speedily be effected, that all liberties and
 privileges concerning commerce, traffic, manufactures,
 peculiar to the subjects of either nation, shall be com-

CHAR. I. "had so long suffered, nor the apprehension of any thing
1647. "that might befall him, should ever prevail with him to
"consent to any one act, till the conditions of the whole
"peace should be concluded; and then that he would be
"ready to give all just and reasonable satisfaction, in all
"particulars; and for the adjusting of all this, he knew no
"way but a personal treaty (and therefore very earnestly
"desired the two houses to consent to it) to be either at
"London, or any other place they would rather choose."

Ludlow,
T. I. p. 234.
Clarendon,
III. p. 67,
68.

The king not doubting but his answer would displease the two houses, would have given it sealed to the commissioners, because whilst the parliament should take it into consideration, he intended to make his escape, having already taken some measures for that purpose. But the commissioners would not receive it in that manner, saying, "They were not to be looked upon as common messengers, and to carry back an answer they had not seen." The king fearing, their return without his answer would be attended with the worst of consequences, gave it to them open; after which they instantly departed. They were no sooner gone, than governor Hammond, by Sir Thomas Fairfax's order, caused all the king's servants to be put out of the castle, who till then had been permitted to be with him, and confined him so closely, that no man had liberty to go to him without express leave.

Ibid.
Rushworth,
VII. p. 950.

Burley's in-
surrection to
rescue the
king.
Dec. 29.
Clarendon,
III. p. 69.
Rushworth,
VII. p. 952.
He is apprehended and
executed.

It was not in vain that the governor took these precautions, since, immediately after, one captain Burley an inhabitant of the island, who had been first a sea-officer, and afterwards general of the ordnance in one of the king's armies, endeavoured to excite the people to rescue the king from his captivity. But he laid his measures so ill, that instead of executing his design he was apprehended, and afterwards condemned, and hanged, drawn, and quartered. Probably,

* The earl of Denbigh was the chief, and spoke to his majesty.

p The king, after some expostulations for this usage, "asked Hammond, "by what authority he did it?" He said, "by authority of both houses, "and that he supposed his majesty was not "ignorant of the cause of his doing thus." The king professed the contrary, and the governor replied, "That he plainly saw, "his majesty was acted by other counsels than stood with the good of the "kingdom." [The words in *Italic* are omitted by the lord Clarendon.] Whitelock, p. 237. — Some time

before this, there had been consultations and debates, both in the parliament and army, "by one means or "other to destroy his majesty's person." Burnet's Mem. Hamil. p. 330. Clarendon, Tom. III. p. 70. Qd' this a general officer gave Sir John Berkley information, and advised, that the king should escape if he could. See Ludlow, Tom. I. p. 227.

† Mr. William Lisle had undertaken to provide a ship for the king's escape, but the ship came not. Whitelock, p. 286.

Probably, the king depended upon this officer for his escape. CHAR. I.
1647-8.

The king's answer being read in the house of commons, several members spoke against the king with great warmth. Cromwell among others said,

"That the king was a man of great parts, and great understanding, but that he was so great a dissembler, and so false a man, that he was not to be trusted. That whilst he professed with all solemnity that he referred himself wholly to the parliament, and depended only upon their wisdom and counsel for the settlement and composing the distractions of the kingdom, he had at the same time secret treaties with the Scottish commissioners, how he might embroil the nation in a new war, and destroy the parliament. He concluded, that they might no farther trouble themselves with sending messages to him, or farther propositions, but that they might enter upon those counsels which were necessary towards the settlement of the kingdom, without having farther recourse to the king." This advice being strongly seconded

by some other members, it was at length resolved, after a long debate from morning till late at night, that no more addresses should be made to, or messages received from, the king, and that a declaration should be published to satisfy the kingdom of the reason of it. This declaration was prepared in a very short time. It contained all the reproaches cast upon the king in 1641, in the remonstrance of the state of the kingdom, and whatever had been complained of since that time, not without a direct insinuation that the king, when prince of Wales, had conspired with the duke of Buckingham against his father's life. They charged him with having openly betrayed the interests of the protestant religion, by lending his ships to the king of France, who employed them against Rochel. When this declaration came to be debated, it met with much opposition even in the house of commons. But the contrary party to the king did what is daily practised in the parliament: they suffered the opposers of the declaration to talk as much as they pleased, and then called for the question, which was carried by a plurality of voices; after which the declaration

was

Jan. 3.
Heath.

Manley.

Cromwell's
invectives
against the
king.

Clarendon,
III. p. 70.

It is voted;
that no more
addresses be
made to, nor
messages re-
ceived from,
the king.

Rushworth,
VII. p. 953.

Declaration
about it.

Id. p. 998.

Whitelock.

Clarendon,

III. p. 70,

71.

* So say Whitelock and Rushworth, whom our author quotes, and yet says from the lord Clarendon, that the debate lasted some days.

† Upon pain of High-treason. See

Rushworth, Tom. VII. p. 953.

‡ It was prepared by colonel Nathaniel Fiennes. Ludlow, Tom. I. p. 236.

CHAR. I. was sent to the house of peers, where it passed without any difficulty. 1647-8.

The Scotch commissioners, before they returned home, communicated their designs to the king's party, the marquis of Ormond, and some leading presbyterians, and early preparations were made for accomplishing the project which was forming in favour of the king. The project was as follows.

Project in
favour of
the king.
III. p. 55.
Id. p. 74, &c.

Id. p. 24.

p. 98.

The Scots were to send an army into England to act against the independents, and deliver the king: the marquis of Ormond was to return into Ireland, where the lord Inchiquin who commanded the parliament's forces in Munster, had promised to declare for the king, and several heads of the rebels who were displeased with the tyrannical proceedings of the pope's nuncio, had engaged to join the marquis with a strong body of their troops. At the same time, the king's friends in England were to rise in several counties. The generals and officers, discarded by the new model, had promised to assemble what forces they could, to countenance the design. The nobility, gentry, and burghers being dissatisfied that the army should govern the parliament, and all offices be conferred on persons of their party, it was not doubted but the insurrections in several parts, would be supported and encouraged. On the other hand, Sir Marmaduke Langdale, and Sir Philip Musgrave, who had great interest in Yorkshire and Cumberland, engaged to seize Berwick and Carlisle. The presbyterian party being still very numerous in the parliament and city, were preparing openly to oppose the army, as soon as they should see it employed in so many different places. Had all these projects been well managed, and executed at the same time, very probably, Cromwell, with all his art, would have been extremely embarrassed. But of all those who should have acted at the same time, some were too hasty, others too slow, and by that means, the army crushed them with ease one after another. But before I relate how these several projects were attempted to be executed, I think it absolutely necessary to show the interests and views of the different parties, otherwise it would be very difficult to understand what will be said hereafter.

Designs of
the inde-
pendents.

The independents designed to be masters of the kingdom, as they were already of the parliament and city of London. But as they found, it would not be easy to succeed in this undertaking, by the same means they had employed to subdue the city and parliament, their aim was to make use of the

the parliament and govern in their name. It was therefore CHAR. I.
1647-8. their interest, that the power they had acquired over the parliament should not be too visible, for fear of causing both houses to lose their authority, which they meant to make use of. For this reason they were very careful to manage the two houses, knowing, that whilst the army subsisted, they would have a regard for them, for fear of incensing them. And in case they should think of taking too much liberty, they knew how to reduce them to a greater compliance. Though they had dissembled their sentiments with respect to the king, after his removal from Holmby, they were his mortal enemies, and bent to oppose, with all their power, his restoration on any conditions whatever, because they considered it as entirely destructive of their party. Oliver Cromwell, who privately directed their affairs, had found means, as I said, to keep his post in the army, and his seat in parliament, though he had been the chief promoter of the self-denying ordinance, whereby the rest of the members were excluded from all offices military and civil. Moreover, since the conclusion of the war, he had brought into the house many more of his faction, besides those who had been there from the beginning of the parliament. Hence the independent party was grown very considerable in the house of common, as well by their number as by the junction of several other members, who thro' fear, or want of judgment, suffered themselves to be led by the independents, on some occasions where their artifices were not easy to be discovered. But their principal strength was the support of the army, of which they were secure on occasion. So, when any leading independent spoke with warmth in the house, he seldom met with opposition, because he was considered as the mouth of the army.

But what was the end the independents proposed? The event showed, their principles were inconsistent with monarchy, with episcopacy, and with presbyterian-government, and that their aim was to establish a commonwealth in the state, and abolish ecclesiastical authority in the church. Nothing was more opposite to this design than the hierarchy, especially, as it was known by experience to have supported the monarchy, not only in its just rights, but also in its most exorbitant pretensions. Presbyterianism, as established in Scotland, and as intended to be established in England, was no less contrary to their designs. They pretended it was inconsistent with the civil government, and to admit it would be to admit a sort of commonwealth in the church,

CHAR. I. church, which would aspire to an independency on the state, 1647-8. and besides, the presbyterian clergy were as much against toleration as the episcopal. This they proved by the example of Scotland, where under colour of religion and godliness, the general-assemblies of the kirk pretended to intermeddle in all important affairs of the state, and not only to resist the civil authority, but to be bound to it in conscience on certain occasions. Besides, if the bishops had persecuted those who refused to conform to the church of England, the presbyterians, since they were superior, exercised no less tyranny upon those who would not submit to their government. Thus the principles of the episcopalians and presbyterians being directly contrary to those of the independents, these were equally enemies to both, and equally laboured their ruined. To execute their designs, they had at first joined with the presbyterians, on pretence of establishing presbyterianism, but in reality to destroy the king. And when it was out of the king's power to hurt them, they laboured to destroy the same presbyterianism, for the establishment of which, they had shown more zeal than the presbyterians themselves.

Cromwell's
views.

Such were the views of the independents: as for Cromwell's in particular, it cannot be said when he began to form the project of his advancement. He had spent the two first years of this parliament in the house of commons as member for the town of Cambridge, without being very remarkable. Tho' he was above forty years old before he exercised the profession of arms, he suddenly grew so expert, and showed such undaunted courage in all the actions where he was present, that he was soon made lieutenant-general of the army, commanded by Sir Thomas Fairfax. It can hardly be doubted, that since the battle of Naseby, where he acquired fresh laurels, he had begun to think of raising himself higher. But I dare not affirm, he then thought of what he afterwards accomplished. I should rather believe, he had only some general views, and was led by the events and situation of affairs to form more ambitious projects.

" Some authors relate, that Cromwell privately stipulated with the king, if his majesty closed with the army's proposals, Cromwell should be made earl of Essex, knight of the garter, first captain of the guards, and even advanced to the degree of vicar-general, as the lord Cromwell was, under Henry VIII. But the king, who would do nothing without the advice

of his queen, writ her word, " That though he assented to the army's proposals, if by assenting to them he could procure peace, it would be easier then to take off Cromwell, than now he was the head that governed the army." This letter was intercepted by Cromwell, who thereupon resolved to ruin the king. R. Cooke, p. 323. Life of Cromwell, p. 71.

I come now to the presbyterians. The war was ended CHAR. I.
 to the king's disadvantage: but he was still alive though a 1647-8.
 prisoner, and had several children. It was the general sense
 of the nation, or at least of those who were not blinded by
 a spirit of party, that the king should be restored, but upon
 such terms however as should hinder the constitution of the
 government from being liable to the same danger as before
 this parliament. It can't be doubted, this was the senti-
 ment of all honest Englishmen, when it is considered, that
 even those who had nothing less in view than the king's re-
 establishment, did however publicly declare, they desired
 it, for fear the contrary opinion should deprive them of the
 people's favour, which was absolutely necessary for them.
 This appears in all the papers published since the beginning
 of the war and the king's imprisonment. And indeed, no-
 thing was more just and reasonable. The nation's interest
 did not require that royalty should be abolished, or the king
 reduced so low as to be disabled to execute the laws and
 protect his subjects. But the interest of the independents
 required the first of these two things, and that of the pres-
 byterians, the second. Herein consisted the difficulty of the
 king's restoration. He was very willing to consent, that the
 ordering of the militia, and the nomination to the great
 offices, should be left to both houses of parliament for some
 time. This was sufficient for the interest of the nation in
 general, since the people would have been freed from their
 fears, with respect to the government for the future. If
 the presbyterians had only intended the good of the public,
 they would doubtless, have been satisfied with the king's
 offers. But they had another interest, no less dear to them,
 and which distinguished their party from the rest of the
 nation, namely, the abolition of episcopal government,
 which was their greatest concern. Nay, very likely, if they
 had applied themselves at first to procure the good of the
 nation, by endeavouring to humble the regal power, it was
 only to effect the more easily their secret designs, to change
 the government of the church. At the juncture I am
 speaking of, they had not altered their projects. They
 knew how zealous the king was for episcopal government,
 and how averse to the presbyterian. They could not there-
 fore, without running the hazard of losing the fruit of their
 labours, leave their pretensions undecided, and their affairs
 in such a state, that it should be in the king's power to de-
 molish what they had raised, and the king refused to give
 them any assurance in that respect. On the contrary, he
 plainly

Interests and
views of the
presbyter-
ians.

CHAR. I. plainly intimated, it was with reluctance that he granted 1647-8. them any thing, and even for a very short time. Besides, they had no confidence in his promises.

But on the other hand, they had other enemies who were no less formidable. These were the independents, who had great advantages over them: 1. They had the king's person in their power. 2. They were supported by the army now at the gates of London. 3. The army directed, in great measure, the determinations of the parliament. Thus, the presbyterians were extremely embarrassed, since, whichever of the two parties, the royal or the independent, prevailed, their ruin was inevitable. Mean while, as the danger from the independents was the most imminent, as soon as they were informed of the resolution taken by the Scots to send an army to the king's relief, they thought fit to suspend their quarrel with the king, and join their endeavours with those of the Scots, to deliver him from the independents. Not that they intended to restore him without terms: nothing was farther from their thoughts. But they hoped, with the assistance of the Scots and the royal party, to destroy the independents and army, and that then the parliament would be perfectly free. In that case they flattered themselves that their party would be sufficiently powerful in both houses, to require of the king such conditions as they should think proper for their designs. That is to say, they pretended to free the king from the captivity in which he was held by the independents, by means of his own friends, to put him under another, which would have been no less grievous to him; in a word, to put him into the power of a parliament by which he had always been opposed. Chimerical project, if ever there was one! It must be observed, the presbyterians no longer prevailing in the parliament, since the 6th of August, their principal strength lay in the assistance they could expect from the city, and the generals, officers and foldiers, who were cashiered by the new model, and very ready to act against those who had robbed them of the fruit of their labours.

Interests and
views of the
Scots.

The Scots had the same interests and views with regard to the king. They knew, the king considered the favours he had granted them, as extorted at a time when he could not deny them without great inconveniences. On the other hand, they had not confidence enough in him, to believe he would be punctual to his promises, in case he remounted the throne of England with all his prerogatives. It was their interest therefore to hinder the king from becoming too power-

powerful in England, and this had induced them to assist CHAR. I. the parliament. But as for the independents, Scotland does 1647-8. not seem to have been so much concerned to oppose the superiority they had acquired in England. Indeed, it would have been more advantageous to Scotland, if there had been no independent-party in England, if the presbyterian had prevailed, and if the covenant had been strictly observed. But since affairs had taken another course, and the independents had gained the advantage, it does not appear what mischief could thence accrue to the Scots, since they were no less secured from the king's power, whilst he was in the hands of the independents than when he was in those of the presbyterians. The resolutions of the Scots to assist the king can be ascribed but to one, or perhaps all, of these causes: 1. To the fear of an union between the king and independents; but this fear was groundless, the principles of the two parties being diametrically opposite: 2. To the desire of being revenged on their sworn enemies, the independents, who had often mortified the Scotch commissioners: 3. To their extreme desire of firmly establishing the presbyterian-government in the church of England: 4. and lastly, To their hopes of preserving, by means of this new war, the advantages procured them by the covenant. The question is to know, whether these three last causes were sufficient to engage them indispensably to undertake a war against England? I say against England, for they could not doubt that the parliament, directed as it was by the army, would consider their entrance into the kingdom as an invasion.

On the other hand, the royalists, though overthrown, being still very numerous, there was great danger, that tho' the Scots, by their union with them, should destroy the independent party and their supporters the army, this advantage would turn more to the benefit of the king than of the presbyterians. At least, it cannot be denied, that by uniting with the royalists, they would, though contrary to their intention, enable them to hold up their heads, and by their own successes give new strength to their antient enemies. These were reflections which occurred to many in Scotland, where the intended new war was far from being universally liked. The king's party appeared very active, which was a sign their hopes were not confined to the freeing of the king from the independents, in order to put him into the hands of the presbyterians. The commissioners had signed the treaty of the Isle of Wight, without being authorized

CHAR. I. rized by the parliament of Scotland; and the execution of 1647-8. that treaty, on the part of the Scots, was entirely founded upon the hopes the commissioners had given the king, of causing it to be ratified. But they had ventured to impart it only to a few friends, and some leading presbyterians of England, knowing it contained not the whole of what the presbyterians desired. It may therefore be affirmed, the new war, for which preparations were making in Scotland, was rather the work of some particular persons than of the nation in general, as will plainly appear in the sequel.

Views of
the king's
party.

The design of the royalists was not, as I said, to deliver the king out of the hands of the independents in order to leave him at the mercy of the presbyterians. They knew, that when the parliament should be entirely free, the king's condition would not be much better. And therefore, in jointly labouring with the presbyterians and Scots, their aim was to restore the king to his former state, without subjecting him to the terms already proposed. Indeed there were among them some who would not have scrupled to consent to a toleration of the presbyterian religion, rather than hazard the king's restoration. Nay, some there were who, had they been consulted, would have advised the king to submit to a change introduced against his consent. Tho' they were persuaded that episcopal was more perfect than presbyterian government, they did not think the difference between them material enough, to hinder the sincere union of the two parties, which they considered as the sole means of restoring the king to his rights. And this was what some had proposed to the king, before he withdrew to the Scotch army. The queen and the court of France were of this opinion: but the king was not. He was so possessed with the necessity of episcopacy, that nothing could move him. Unfortunately for him, he had none about him but men, who, like him, believed episcopacy so essential to religion, that without bishops neither the ordination of ministers, nor consequently the administration of the sacraments, could be valid. It must not therefore be thought strange, that the king had great scruples upon this point, since, according to his principles, he could not consider the presbyterians as members of the christian-church. For how could they be christians, if their baptism was invalid? It cannot be denied, this was the opinion of the court and of many church-of-England men. If therefore the royalists had fully known the contents of the Isle of Wight treaty, very likely, their zeal for the king's service would have cooled. It has been
remem-

remembered, how much it displeased the earl of Clarendon. CHAR. I. It is very easy to conceive, that men of such sentiments did not mean to labour for the interest of the presbyterians. What therefore could be expected from the union of the royalists with the presbyterians and Scots, since they all acted with different or rather opposite views, and, though their common design had succeeded, they must have therefore dis- united, and begun a new war?

As to the king's particular views, they can only be conjectured. He was like a man that is drowning, and catches at whatever he thinks able to save him, or at least retard his fate. His accepting the service of the Scots and presbyterians of England, was not because he expected much from their condescension. He had too often experienced their injustice to him, to imagine they would seriously think of restoring him, without imposing upon him intolerable terms. But as necessity obliged them to offer him their assistance, so necessity forced him to accept it, if not in expectation of obtaining his desires, at least in hopes of delaying his ruin as long as possible. For he was told, and by one that was present, that in a council of officers at Windsor, it was moved to take away his life. He hoped, very likely, by the aid of the Scotch and English presbyterians, so to strengthen his own party, that they would be in condition to act alone, when once the independent army was dispersed, and by that means he might be freed and enabled to make a peace upon more tolerable terms than those hitherto offered. Thus by a strange blindness, the king pretended to use the Scots and presbyterians to recover his rights, and these pretended to make the king and his party subservient to their own designs. The king might have another view in setting the presbyterians and independents at variance, namely, that the weakest party would join with him without terms, rather than see their enemies triumph.

The parliament consisted of presbyterians and independents, and, notwithstanding the efforts of Cromwell and his party, the presbyterians were still the majority. But this party was considerably weakened by the absence of eleven of their chief members driven from the house of commons by the army. From that time, the same vigour as formerly, no more appeared in that house, because it was not directed as before the exclusion of these members. Besides, this example deterred the boldest presbyterians. So, the independents were masters; and though the parliament was presbyterian as to number, they acted however like independents, be-

CHAR. I. cause they could not do otherwise. As the army was near 1647-8. London, Cromwell had opportunity to be constantly in the house, where his presence alone made the ballance incline to which side he pleased, in the debates where his party was concerned. The lords were under no less constraint than the commons, nor less exposed to the violence of the army, which had caused seven peers to be impeached by the commons of high-treason, under colour of their being concerned in the tumult of the 26th of July. The transactions therefore of both houses, from the 6th of August 1647, and till June 1648, are to be considered as directed by the army, that is, by the leading independents. It may be imagined, the presbyterian members were extremely troubled to be forced, notwithstanding their majority in both houses, to do things manifestly tending to the destruction of their party. But there was no remedy but patience, till time should afford some opportunity to free themselves from this slavery. This opportunity was of course to offer itself the next spring. Though the Scotch commissioners had not thought proper to impart to the leading presbyterians the particulars of their treaty with the king, they had however intimated to them, that they were going to endeavour to raise an army in Scotland, to free England from the yoke of the independents, and that the king's party was to join with them, or at least favour their progress, by insurrections in several parts of the kingdom. So the presbyterian members impatiently expected the happy time, when the army would be indispensably obliged to remove from London, to oppose so many enemies, particularly in the north. They resolved therefore to be ready to act in the parliament at so favourable a juncture, and in the mean while to give no offence, for fear of being prevented by the army, who carefully watched all their proceedings. This dissimulation was necessary, because otherwise they ran the risk of being ruined to no purpose, and of disabling themselves to support their friends on occasion.

Of the city
of London.

It remains to speak of the city of London, which was no less concerned in what passed, than the rest of the kingdom, and could be of great service to the party they espoused. In this great city were men of all sects and parties; but in general, it was presbyterian, and the common-council was of the same party. The army had done what lay in their power to lessen the number of their adversaries in that council, by causing the lord-mayor, some aldermen, and several common-council-men, to be accused and imprisoned, for the
tumult

tumult of the 26th of July: but however, the presbyterian party was still superior in number. In expectation of the opportunity to declare openly against the army and the independents, the presbyterian party so managed, that great difficulties constantly occurred, when it was proposed to advance money for the army. The city itself was very much in arrears, with respect to the sums laid upon them for the payment of the troops. They did not want excuses to delay these arrears: but the true reason was, they thereby obliged the army to take free quarters, which made the people wish to be rid of them. The expectation of the revolutions, which the entrance of the Scots into the kingdom might produce, caused the magistrates of London to continue the same conduct, being ready to do, on all occasions, whatever was in their power to be revenged of the army.

I should willingly add something concerning the character of the lord Fairfax *, general of the army, and the ends he might propose to himself; but own, I have met with little information. He was presbyterian, and yet suffered himself to be guided by Cromwell, the head of the independents. What can be said in his favour, is, that he kept the command of the army to avoid a greater mischief, for fear, if he resigned his commission, it should be given to Cromwell, as it would certainly have been.

I thought it necessary, before I proceed to the great revolution in 1648, to show the views and interests of the principal actors, believing this digression would conduce very much to the understanding of what will hereafter be said.

Since the two houses had resolved to present no more addressees to the king, nor receive any messages from him, there seemed to be a strict union between the parliament and army. The council of war had consented, that all the supernumerary forces, not upon the present establishment, should be disbanded. The parliament, on their part, gave the army sufficient security for their arrears, and published a declaration, containing the reasons why the army ought to be continued, though the war was over. In short, the army desisted from their pretension, to meddle with affairs of state, and left the parliament free to settle the government as they should think fit. Thus the vote for no more addressees seemed to produce such an union between the parliament and army, that they appeared to have the same views and interests, though hitherto they had been jealous of each

CHAR. I.
1647-8.

Of general
Fairfax.

Strict union
between the
parliament
and the
army, Dec.
30.
Rushworth,
VII. p. 953.

The army
desist from
meddling in
state affairs.
Id. p. 962.

F f 2

other.

* He was become a lord upon the death of his father, who died of a gangrene in his foot, March the 13th, this year. Rushworth, Tom. VII. p. 1020.

CHAR. I. other. This clearly shows what were the designs of the army, with regard to the king. As for the parliament,

1647-8. though the independent members were devoted to the army, it is certain the rest, who were the majority, only disssembled their sentiments. Mean while, the independents, who met with no more opposition in the two houses, being willing to be still more assured of the parliament, caused it to be ordered, that the general should be desired to take care and

The parliament desire a guard.

The general sends two regiments. Jan. 14. Id. p. 965, 966.

Whitelock. Account of what passed in Scotland. The parliaments meet there.

Clarendon, III. p. 96. Rushworth, VII. p. 977.

guard the parliament. Pursuant to this request, the general sent a regiment of foot to Whitehall, and another of horse to the Meuse, where the king's stables stood. This was to hinder the Londoners from thinking again of using violence to the two houses.

Though the Scotch commissioners departed not from London till the 24th of January, they had however, by their letters, promoted their affairs, as soon as their treaty with the king was signed, so that it was now resolved at Edinburgh, the committee of estates should meet the 6th of February, and the parliament the 10th of March. This resolution was taken, notwithstanding the marquis of Argyll's opposition, who, though presbyterian as to religion, was of the same principles with the independents as to the government of the state, and had contracted a fast friendship with Cromwell and Vane. But, though he ruled in great measure the rigid presbyterians, that is, those who would not depart from one single point of the covenant, the combination was so strong, that it was not only resolved to call a parliament, but that also the elections of the members were agreeable for the most part to the wishes of those who were for levying an army. The parliament of England, or rather the independent party, by whom the two houses were directed, doubted not that the aim of those who had procured this resolution, was to support the presbyterians of England who were upon the brink of ruin. Wherefore they resolved to send commissioners to Scotland ^x, as well to endeavour to content the Scots, as to observe what should pass in the parliament, and try to strengthen the party of those who were against war ^y.

Id. p. 975, 977, &c. Clarendon, III. p. 99.

1648. Motion to raise an army to act in England. Clarendon, III. p. 97.

At the opening of the parliament of Scotland, studied speeches were made by several of the members, to excite the people against the English. They represented, that the

^x The lords appointed the earls of Nottingham and Stamford; and the commons, Mr. Ashurst, Brian Stapleton, and colonel Birch. Rushworth, Tom. VII. p. 975, 979.

^y They promised, among other things, to pay the remaining 200,000*l.* due to the Scots, and, till it was paid, to allow them 8*l.* per cent. interest. Idem. p. 1019.

army

army of England kept the king in captivity, and the parliament in such subjection, that nothing was done but what the army pleased. That contrary to the tenor of the covenant between the two nations, the parliament had refused to debate with the Scotch commissioners, the propositions sent to the king for peace, and rejected their protestation, as if Scotland had no interest in the king: that they had in reality deposed the king by divesting him of all his prerogatives, by voting he should be no more addressed, and by hindering the Scots from having access to his person, though he was as much king of Scotland, as king of England: that it was a manifest breach of the rights of the Scots, and of the covenant between the two kingdoms, and that Scotland ought to resent this affront, or resolve to become subject to England: that for these reasons, their advice was, that speedy means might be devised to send an army into England, which should no sooner enter that kingdom, but all the English, except the army, would join with them, and by that means the parliament being restored to freedom, would re-unite with Scotland, and the covenant be punctually observed.

The parliament thought not proper to take this important motion so speedily into consideration. But to facilitate the execution of what had been resolved before their meeting, a committee of twenty-four members was appointed, with power to provide for the safety of the kingdom, in case it should be in danger. For this reason, they were called the *committee of danger*, in which care was taken, that the number of those who were for war, should be superior to those of the contrary party, and to make duke Hamilton president.

This committee having examined the state of the kingdom, found it to be in danger, and that it was necessary to raise an army of forty thousand men, to put it in a posture of defence. It was not possible for the marquis of Argyle, who was of the committee, to prevent that resolution. But he found means to actuate the commissioners of the general assembly of the kirk, who some days after presented to the parliament certain demands, proper to prolong the affair. The parliament answered these demands, and the commissioners replied. As this affair will be better understood, by comparing the demands, answers, and replies, I think it necessary not to divide them. This will be of use, as it discovers the obstacles which occurred in Scotland, to the raising of the army that was to act in England. Herein also will appear, what authority the general assembly of the

CHAR. I.
1648.

A committee appointed, who are for levying an army. Rushworth, VII. p. 1019, 1049.

The kirk commissioners are against it. Clarendon, III. p. 90. Rushworth, VII. p. 1026, Whitelock.

CHAR. I. kirk of Scotland assumed to themselves, since their commif-
 1648. sioners thought they had a right to oppose the parliament to
 their face.

Rushworth, " 1. DEMAND. That the grounds and causes of under-
 VII.p.1047, " taking a war may be cleared to be so just, as that all
 1052, 1053. " who are well-affected, may be satisfied in the lawfulness
 " and the necessity of the engagement, and that nothing be
 " acted in reference to a war, before the lawfulness of the
 " war, and the state of the question, be agreed upon.

ANSWER. *The estates declare, That the grounds and causes
 of undertaking of war, shall be cleared to be so just, as that all
 who are well-affected may be satisfied in the lawfulness and ne-
 cessity of the engagement.*

" REPLY. They conceive, that notwithstanding any
 " thing expressed in their lordships answer, there may be an
 " acting in reference to war, before the lawfulness of the
 " war and the state of the question be agreed upon, which
 " is the very thing they desire to be avoided.

" 2. DEMAND. That as the breaches of the covenant,
 " by the prevalent party of the sectaries in England are
 " evident, so we desire and hope, that, according to the
 " treaty, it may be condescended upon, and declared by
 " the parliament, what are those breaches which they take
 " to be a ground of war, and that reparation thereof may
 " be fought.

ANSWER. *They think it fit, that the breaches of the cove-
 nant and treaties be presented; and the seeking of reparations,
 and the best time and manner thereof, considered.*

" REPLY. They neither find any breach of peace be-
 " tween the kingdoms, which may be a ground of war,
 " nor any positive resolution of parliament to seek repara-
 " tion.

" 3. DEMAND. That there may be no such quarrel or
 " ground of the war, as may break the union between the
 " two kingdoms, or may discourage or disoblige the pres-
 " byterian-party in England, who continue firm in adhering
 " to the league and covenant.

ANSWER. *They declare, that this kingdom will be so far from
 making any war against the kingdom of England, that any en-
 gagement they shall enter into, shall be for strengthening the union
 between these two kingdoms, and for encouraging the presbyterians,
 and well-affected in England.*

" REPLY.

“ **REPLY.** Instead of that clause of the desire, *The presbyterian-party in England, who continue firm in adhering to the league and covenant*; change of expression in the answer is, *the presbyterians, and well-affected in England*, which may intimate, that there are some well-affected in England, which are not of the presbyterian-party, nor do adhere to the league and covenant.

CHAR. I.
1648.

“ **4. DEMAND.** That if the popish, prelatical, or malignant party shall again rise in arms, this nation and their armies may be so far from joining or associating with them, that on the contrary, they may oppose them, and endeavour to suppress them, as enemies to this cause and government upon the one hand, as well as sectaries on the other.

ANSWER. *They agree to the substance and matter thereof; and remit to those who are to be upon the conference for stating the question to explain the same.*

“ **REPLY.** For not joining with the popish, prelatical, or malignant party, we cannot conceive wherein it needs explanation, unless there be now more favourable and friendly intentions towards malignants than formerly.

“ **5. DEMAND.** Seeing your lordships undertakings should be in the first place for religion; we desire, that his majesty's late concessions and offers concerning religion (as they have been by the church, so may be by the parliament) declared unsatisfactory; whereby your lordships may give further evidence of the reality of your intentions for the good and safety of religion.

ANSWER. *They declare, that upon the agreement on the whole matter and state of the question, they will declare his majesty's concessions concerning religion, not to be satisfactory.*

“ **REPLY.** His majesty's concessions being so prejudicial to the cause and covenant, they desire the parliament to declare against them both positively, without any condition, and presently without delay.

“ **6. DEMAND.** That your lordships may be pleased not to fix and settle upon any such state of a question, as doth not contain security and assurance to be had from his majesty, by his solemn oath, under his hand and seal, that he shall, for himself and his successors, consent and agree to acts of parliaments, enjoining the league and covenant, and fully establishing presbyterial-government, directory

CHAR. I. "of worship, and confession of faith, in all his majesty's
1648. "dominions; and that his majesty shall never make any
"opposition to any of these, or endeavour any change
"thereof; and that this security be had from his majesty
"before his restitution to the exercise of his royal power;
"which we desire for no other end, but because we cannot
"see how religion (which has been, and we trust shall be,
"the principal end of all the undertakings of this nation)
"can be otherwise secured; but that without this security
"it shall be left in very great hazard.

ANSWER. *That since religion hath been, and they trust ever shall be, the principal end of all their undertakings; so they will be careful, that the present question to be stated shall contain security and assurance from his majesty, by his solemn oath under his hand and seal, that he shall for himself, and for his successors, give his royal consent to pass acts of parliament, enjoining the league and covenant, established by presbyterial-government, the directory of worship, and confession of faith, in all his majesty's dominions; and that his majesty shall never make opposition to any of these, or endeavour any change thereof.*

"REPLY. As there is much said in the first part, for security of religion to be had from his majesty; so that clause, viz. That this security be had from his majesty, before his restitution to the exercise of his royal power is laid aside, and they are left unsatisfied in that which is the main of that desire.

"7. DEMAND. That the same end in securing religion which is professed to be the principal cause of engagement, and for securing all other ends of the covenant, such persons only may be entrusted by your lordships to be of your committees and armies, as have given constant proof of their integrity and faithfulness in this cause, and against whom there is no just exception or jealousy, that so we may the more confidently encourage our flocks and congregations to follow the cause of God in their hands, and not to doubt of the fidelity of those, who shall be entrusted by your lordships.

ANSWER. *That they will be careful that none shall be employed in the command of their armies, nor in their committees, but such as are of known integrity and affection to the cause, and against whom there is no just cause of exception.*

"REPLY. Concerning such as are to be entrusted in armies and committees, doth admit of some of the qualifications expressed in the desire, viz. Such as have given
"constant

“ constant proof of their integrity and faithfulness in this CHAR. I.
 “ cause, and against whom there was no just cause of jea- 1648.
 “ lousy, that so we may the more confidently encourage our
 “ flocks to follow the cause of God in their hands, and not
 “ doubt of their fidelity.

“ 8. DEMAND. That there be no engagement without
 “ a solemn oath, wherein the church may have the same in-
 “ terest which they had in the solemn league and covenant,
 “ the cause being the same.”

ANSWER. *They declare, that to the grounds of their engage-
 ments and undertaking an oath shall be subjoined, wherein both
 in the framing of it, and otherwise, the church shall have their
 due interest. And the estates of parliament desire the commis-
 sioners of the church to appoint some of their number, to meet
 with such of the committee of parliament of twenty-four, as
 shall be appointed by the same committee, for the conference and
 stating of the question, for agreeing upon the grounds of an en-
 gagement, and drawing up such a state of a question, as may
 unite this nation in an unanimous undertaking of such duties as
 are requisite for the reformation and defence of religion, the
 safety, honour, and happiness of the king and his posterity, and
 the good of this kingdom.*

“ REPLY. Instead of that clear expression used, namely,
 “ That the kirk may have the same interest in any oath for a
 “ new engagement which they had in the solemn league and co-
 “ venant, they find this doubtful and uncertain expression,
 “ That both in the framing the oath and otherwise, the kirk shall
 “ have their due interests.

“ And upon these and the like considerations, they con-
 “ ceive that their desires, unto which they still adhere as
 “ just and necessary, are not satisfied by their lordships
 “ answer.”

The opposition of the kirk commissioners was not the only Sundry pro-
 testations
 against the
 war.
 Rushworth,
 VII. p. 1094,
 1062.
 storm the resolution of levying an army drew upon the com-
 mittee of danger. Eighteen lords and forty other members
 of parliament entered a solemn protest against this vote,
 affirming, the committee had exceeded their power, which
 they did not in any manner consent to give them. There
 were moreover two other difficulties to surmount, before the
 parliament could positively order the levying an army. The
 first related to the general, who was to have the command.
 Naturally this post belonged to general Lessly now lord
 Newark, who had commanded the last army, and of whom
 there

Clarendon,
 III. p. 112.

CHAR. I. there was no occasion to complain. But he was not fit for 1648. their purpose who were for a war. That party's scheme was to make duke Hamilton general, because he had privately declared for the king, and it was conceived he would be more proper then Lesly, to unite the royal party in England with the army of Scotland. This difficulty was at length removed, Lesly being artfully prevailed with to quit his pretension, under colour of age and infirmities. Which done, duke Hamilton had no other rival ^a.

Hamilton
is made ge-
neral.

Order of
parliament
touching the
covenant.
Id. p. 100.

Rushworth,
VII. p. 1032.
Whitelock.

Clarendon,
III. p. 100.

Id. p. 112.
Rushworth,
VII. p. 1071,
1114.

The second difficulty was much more considerable. Before the Scotch commissioners left London, they had intimated to several officers, and others of the king's party, that when the Scotch army should enter England, they should be welcome to the Scots, and with them make but one body and party, for the deliverance of the king out of the hands of the independents. They had given the same assurances to Sir Marmaduke Langdale, and Sir Philip Musgrave, and by that induced them to promise to seize Berwick and Carlisle. Upon these hopes a great number of royalists repaired to Edinburgh, to join with the Scots, or be employed in their army. Moreover, a troop of horse commanded by captain Wogan, which was to have been disbanded, had retired into Scotland, to join the forces of that kingdom; and this troop, by the junction of several horse deserters, was become four hundred strong. Duke Hamilton had put Langdale and Musgrave in hopes, that when the Scotch army should be in England, there would be no more said of the covenant, and the royalists might join with them and make but one body. But it was not in the power of those who made these promises to perform them. The marquis of Argyle, and the rigid presbyterians strongly represented, both in public and private, "That under colour of acting against the independents in England, the royalists, that is, the mortal enemies of Scotland and of all presbyterians, were going to be effectually restored. That this was the design of those who were so eager for a war, might easily be perceived, both by the activity of such Scots as had never heartily adhered to the covenant, and by the extraordinary concourse of royalists into Scotland. That even men were sent for to Edinburgh, who were most attached to the king's party, and most inveterate against the covenant, such as Langdale, Musgrave, Glemham, Fleming, and others, who daily conferred with their friends, whereof
" the

^a Burnet says, he was much against accepting that employment. Mem. p. 338.

“ the parliament of England had complained to no purpose, CHAR. I., 1648.
 “ That the junction with the king’s party consisting of
 “ papists, episcopalians, and other disaffected persons, was
 “ a more manifest breach of the covenant, than what the
 “ English were charged with. That, in short, by these
 “ proceedings the covenant, which was the basis and foun-
 “ dation of the union betwixt the two nations, would be
 “ destroyed, whilst it was pretended to raise an army to
 “ support it, and even whilst there was no other pretence
 “ to carry the war into England.” These representations Clarendon, III. p. 114.
 joined to the endeavours of the parliament of England’s com-
 missioners, who spared neither solicitations nor money to
 second them, made such impression on the people, that the
 parliament could not help ordering, that those who had not
 taken, or should refuse to take, the covenant, should not
 be received into the army, or joined with it at their entrance
 into England. After this declaration, it seemed to be out
 of duke Hamilton’s power to perform what he had promised
 the royalists. But he found means to evade in some mea-
 sure this order when he came into England, as will hereafter
 appear.

These and other obstacles, daily raised by the marquis of Debye in Scotland.
 Argyle and the rigid clergy, were the reason the parliament Rushworth, VI. p. 1100.
 could not be so speedy as the authors of the project had ex- 1102, 1122.
 pected. As the people of Scotland were strongly prepossessed
 in favour of the covenant and union with the English pre-
 byterians, the parliament was obliged to publish a declara-
 tion to satisfy them upon that head. But the contrary party
 pretended, there was no sincerity in a declaration, full of
 ambiguous expressions, which discovered the ill designs of
 those who were for a war: So, though the party who had
 caused the raising of forces to be ordered, was superior in the
 parliament, no soldiers could be levied till the middle of May,
 and the army was not ready till the beginning of July, tho’
 the Scotch commissioners had assured it should be in condition
 to act by the beginning of May. Moreover this army, which Whitelock, 298.
 was to consist of forty thousand men, was not above half
 that number, even after the junction of the English troops.
 But before I speak of the success of these mighty preparations,
 it will be proper to see what passed in England.

Wales was the place where the first scene was opened. In
 that country were three colonels, namely, Langhorn, Powel, Combina-
tion in
Wales in
favour of
the king.
 and Poyer, who had faithfully served the parliament during
 the war, but unhappily found themselves by the new estab-
 lishment, in the number of the supernumeraries who were Clarendon,
III. p. 111.
 to

CHAR. I. to be disbanded, with which they were extremely dissatisfied. Having communicated their discontents to each other,

1648. they resolved all three to declare for the king, as soon as the
 Rushworth, Scotch army should enter the kingdom. Langhorn even
 VII. p. 1002, sent a confident to Paris, to acquaint the queen and prince
 &c. of Wales with this design, desiring a commission, with supplies of money and ammunition. The commission was readily granted, but the circumstances of the queen and prince, allowed them not to send the desired supplies.

March.
 Clarendon,
 III. p. 111.

Rushworth,
 VII. p. 1017,
 1033, 1034,
 1036, 1050.

Id. p. 1038,
 1040, 1074,
 1097.

p. 1051,
 1065, 1098,
 1103.
 Clarendon,
 II. p. 111.

Insurrection
 in Kent.
 Rushworth,
 VII. p. 976,
 1113.

p. 976.

Though these three officers had resolved not to declare before the Scots had entered England, they were however obliged to it sooner. Poyer, being governor and mayor of Pembroke in South-Wales, saw colonel Fleming unexpectedly arrive with the general's commission to take the government of the castle. As this alteration could not but break the measures of the three colonels, Poyer refused to obey, under colour it was unreasonable to deprive him of his government, without paying him his arrears^a. The parliament was inflamed when they heard of this disobedience, and declared Poyer a traitor, if he did not deliver the castle within four and twenty hours after the first summons.

Poyer contemned this ordinance, and even defeated Fleming, to whom some troops had been sent to put him in possession of Pembroke-castle. As the particulars of this affair are not absolutely necessary, I shall content myself with saying, that it became of greater consequence than the parliament had imagined. Not only Langhorn and Powell joined with Poyer, but all South-Wales declared for the king, whilst the lord Byron was labouring to draw North-Wales and the parts about Chester into a revolt.

During these transactions in Wales, there were commotions in Kent no less dangerous to the army. The king had always many friends in that county, but the neighbourhood of London and the army kept them in awe. Mean time, some gentlemen of the country having early information of the design of the Scots, took care to sow the seeds of revolt, in hopes of producing fruit in due season. The disposition of the people of Kent began to show itself in a great riot at Canterbury, the 25th of December 1647, about keeping of Christmas-day. The multitude wounded and abused the mayor and others of the magistrates, and at last the cry was, '*For God, king Charles, and Kent.*' The tumult

^a He insisted upon his own disbursements and arrears, and indemnity and arrears for his soldiers. Rushworth,

Tom. VII. p. 1034. His forces, with those of Langhorn and Powell, made about eight thousand. Manley, p. 175.

mult being appeased, and some of the mutineers apprehended, the parliament had a mind to punish them with death. But they found so many obstacles, that it was May before they sent down a commission to try them. The grand jury refused to find the bill, to the great astonishment of the commissioners. There were at that time commotions forming in the county, in which the grand jury were doubtless concerned, and that was the reason of their not finding the bill against their accomplices.

CHAR. I.
1648.

P. 1113.
Whitelock.

Though the directors of the affairs for the king had resolved to delay the Kentish insurrection till the army was marched against the Scots, it was not in their power to defer it so long. Roger L'estrang a Norfolkman ^b being in Kent, at the house of Mr. Hales, a young gentleman who was heir to a great estate, persuaded him to undertake something in favour of the king, and to sound the gentry and people of the country that frequented his house. Matters were so ordered in the county, that about the middle of May, the people rose, took up arms, and owned Hales for their general, in which they committed two very great errors. The first, in putting themselves under the conduct of an unexperienced young man without authority. The second, in rising before the army was removed to some distance from London. As the general knew, the Scotch army was not yet ready, he detached Cromwell with part of his forces to reduce the Welsh to obedience, and then to march against the Scots at their entrance into England. For himself, he remained near London, as well to be ready to march against the Kentish-men, as to prevent the like insurrection in London, which the army dreaded of all things. Besides that, he had no inclination, as it afterwards appeared, to act against the Scots.

Clarendon,
III. p. 103.
&c.

The number of the male-contents in Kent being greatly increased, they were headed by George Goring earl of Norwich, and Sir William Waller, and, in expectation that London would not fail to declare for them, advanced towards Black-Heath. Then Fairfax speedily passed the Thames with his army over London-bridge, to give them battle. The Londoners being too wise to declare at such a juncture, the revolvers thought fit to retire, some to Rochester, and others to Maidstone. General Fairfax attacked

Fairfax
marches
against the
Kentish-
men.
May 29.
Clarendon,
III. p. 117
—119.
Rushw. VII.
P. [1130.]
1131, 1135.
He defeats
them.

^b He had been taken prisoner by the parliament, in December 1644, for attempting to betray Lynn in Norfolk to the king, and by a court-martial condemned to die; but being kept in pri-

son till the end of the war, was set at liberty. He afterwards translated Josephus, writ the Observators, &c. Clarendon, Tom. III. p. 104. Whitelock, p. 119, 121, 122.

June 1.
P. 1135—
1137.

CHAR. I. these last so vigorously, that he carried the town by storm,
1648. slew many of them, and took a great number of prisoners.

At the first news of the defeat, those at Rochester quitted the city, and posted themselves on Black-Heath, hoping still that London would send them assistance, or receive them into the city. These two refuges failing, and hearing moreover, that a detachment of the army was approaching, they took to flight, and were dispersed; however, a great many were made prisoners. The earl of Norwich found means to pass the Thames at Greenwich in boats, with five or six hundred men, and join his friends in Essex, who were upon the point of passing into Kent, if Fairfax had not been so diligent.

Some of
them pass
into Essex.
p. 1131.
Clarendon,
III. p. 119.
Whitelock.

The county of Essex was in the same disposition as Kent. There had been for some time in that county, men, who were earnestly labouring to excite the people against the army, and only waited an opportunity to appear openly, as soon as the army should march to the north, not questioning but the approach of the Scots would oblige them to it. Of this number was Sir Charles Lucas, lieutenant-colonel Farr, Sir Bernard Gascoign; and at the same time, the lord Capel, one of the managers of the insurrections, was labouring the same thing in Hertfordshire. Though the Kentish insurrection had been unsuccessful, the Essex royalists were not discouraged. They still hoped, either that London would declare for the king, or the Scotch army make so great progress, that the army of England would not be able to withstand so many attacks from all quarters. For there was scarce a county, but what was to have some insurrection, those especially, where the king's party prevailed during the war. So the parliament having sent a general pardon into Essex, for such as should lay down their arms, most refused it by the instances of Sir Charles Lucas, who was the most active royalist in those parts.

Rushworth,
VII. p. 1131,
1135.

Fairfax
marches
into Essex.
Id. p. 1135.
Clarendon,
III. p. 119.

The revolt-
ers retire to
Colchester.
Id. p. 120.

The general remained in Kent no longer than was necessary to raise the siege of Dover, undertaken by Waller, and quiet the country, to which he granted very advantageous terms, considering their present circumstances. This done, he repassed the Thames and marched into Essex^c, where the number of the revolters was increased by the junction of the troops brought out of Hertfordshire by the lord Capel. Nevertheless, as they found themselves unable to keep the field before a victorious as well as a stronger
“ army,

^c He was joined at Coggeshall by thousand horse and foot. Rushworth,
Sir Thomas Honeywood, with two Tom. VII. p. 1150,

army, they resolved to retire to Colchester. This was an open unfortified town: but they speedily cast up such works before the avenues, that they did not fear being stormed. Here they resolved to defend themselves, and wait the event of affairs in the other counties, and particularly in the north.

The principal men, who were in Colchester, were the earl of Norwich^d, the lord Capel, Sir George Lisle, Sir William Compton, Sir Charles Lucas, Sir Bernard Gascoign, lieutenant-colonel Farr, and several other good officers, with a garrison of three thousand men, all bent to sell their lives dearly. This furnished the general with a reason, or perhaps a pretence, not to attack the town in form, but to block it up, and reduce the besieged by famine. I say, this might be a pretence: for it seems, in such a juncture, when all the kingdom was in a flame, and the Scotch army expected every moment, it was not proper for the general to be employed in a blockade, which probably would last some time, whilst he left the rest of the kingdom defenceless, and was in great danger from the city of London. But as he might have good reasons to run no hazard, it is not my business to censure his conduct. All that can be said is, that his whole proceedings showed his unwillingness to fight with the Scots, tho' he always acted vigorously against the king's friends. May I venture to make one conjecture? Fairfax was a zealous presbyterian, but hitherto had suffered himself to be guided, or rather deceived, by Cromwell. Perhaps having discovered the artifices and ill-designs of this friend, he would not have been sorry to see Cromwell defeated, in expectation that if he were slain, or lost his reputation, it would be easier to make peace, which he found to be impracticable so long as Cromwell could oppose it. According to this supposition, the blockade of Colchester enabled the general to wait, without any hazard, the event of the war preparing in the north. However this be, he applied himself to the blockade, which began the 10th of June, and lasted till August^e.

The revolted Kentishmen, as I said, had twice advanced towards London, in hopes the city would declare for them. This hope was not altogether groundless. Besides that the city was known to be very much displeased with the army,

CHAR. I.
1648.
The general blocks them up in Colchester.

Ibid.
Rushworth, VII. p. 1150, 1153, 1155, 1161, 1163, &c.
Heath.

Conjecture about the general's views.

Tumult at London.
April 9.
Rushworth, VII. p. 1051, 1052, 1060.
the Whitelock.

^d The same that was heretofore general Coring, governor of Portsmouth, and had been made earl of Norwich in 1644. Rapin. The lord Clarendon says, He had no experience or knowledge in war, nor knew how to exer-

cise the office of general he had undertaken. Tom. III. p. 118.

^e The royalists did not enter Colchester till June 13, and the articles of surrender were signed August 27. Relat. of that Leaguer by M. C.

CHAR. I.
1648.

the common people had, in the beginning of April, *shown* their readiness for any undertaking. Some persons playing and sporting on a Sunday in Moorfields in contempt of the ordinance of parliament, the constables of that quarter would have dispersed them: but it was not in their power. The obstinacy of the mob went so far, that a party of the trained-bands were forced to be sent for. But before the party arrived, the number of the rioters was grown so great, that they fell upon and dispersed the trained-bands, wounding and killing several. This success so inflamed the tumult, that the mob came from all quarters to join with the mutineers. Some seized Newgate and Ludgate; others went to the lord-mayor's house, who seeing them coming, ran away to the Tower, whilst others made towards Whitehall, but were repulsed by the regiment of horse posted in the Meuse for a guard to the parliament. In the night the tumult still increased: the cry was every where, *For God and king Charles*. The general, who was then in London, with only the two regiments at Whitehall and the Meuse, immediately called a council, where it was debated, whether they should stay for more forces, or attack the mutineers with these two regiments. The last was judged most advisable, whilst the seditious were yet acting with great confusion, and had no leader to conduct them. They were therefore vigorously attacked when they least expected it, and thought themselves masters of the city, and though they made an obstinate defence, were at length dispersed. The parliament having received the circumstances of this commotion, believed it to have been very dangerous, and ordered public thanks to be given to God in all the churches of London for its being happily appeased. When I say the parliament, I mean the parliament still directed by the independents, who dreaded nothing so much as to see London declare against the army. But as the army was not yet removed, the magistrates were too wise to declare so unseasonably.

The mutineers are dispersed.

I have already mentioned two of the projects against the army; the insurrection in Wales, which kept Cromwell employed till the beginning of July; and that of Kent, which by too great a precipitation, miscarried; and lastly, of the tumult in London, which probably had been raised by some rash and inconsiderate royalists, who knew nothing of the projects that were formed. I must now speak of some others which were executed about the same time, that is, whilst preparations were making in Scotland to send an

army

army into England, and which were attended with no better success. CHAR. I.
1648.

The first was the duke of York's escape, the king's second son, from St. James palace, where he was under the earl of Northumberland's custody, and his retreat into Holland, to his sister the princess of Orange. Thus to have his two eldest sons out of the power of his enemies was no small advantage and satisfaction to the king ^f. The duke of
York escapes
from London.
April 27.
Rushworth,
VII. p. 1067.
Clarendon,
III. p. 101.
Langdale
seizes Ber-
wick and
Musgrave
Carlisle.
April 28.
Clarendon,
III. p. 115.
116.
Rushworth,
VII. p. 1099,
1105.

Some days after, Langdale possessed himself of Berwick, and Musgrave of Carlisle. The parliament had received some intelligence of the design to surprize these places, and might have prevented it by putting garrisons there. But as, by the late treaty with Scotland, they were to be left to the care of the inhabitants, the two houses were unwilling by seizing them, to give the Scots so just an occasion to complain, at a time when they wanted pretences to send an army into England. They contented themselves therefore with ordering the mayors, to take care and provide against a surprize, which however they either could not, or would not prevent.

As soon as Langdale was master of Berwick, all the royalists in Yorkshire, Cumberland, and Westmoreland came and joined them. By this means, he quickly formed a body of three thousand foot and one thousand horse, which enabled him to go in quest of general Lambert, who commanded in those parts for the parliament. But he received very express orders from Edinburgh not to engage in any action, what advantage soever he might thence expect, but to retire about Carlisle till the arrival of the Scotch army, which he obeyed. The reason of this order was, that as the rigid presbyterians of Scotland were extremely jealous of the royal party, the directors of affairs were apprehensive, that the progress made in England for the king, would obstruct the levying an army in Scotland. And indeed, it was publicly said, the army was intended for the king's rather than for the service of the English presbyterians. Rushworth,
VII. p. 148.

The loss of Berwick and Carlisle was followed soon after with another, which seemingly should have embroiled the affairs of the independents. I mean the revolt of part of the fleet about the end of May. The parliament having ordered eight men of war to guard the seas during the summer, these ships lay in the Downs to take in provisions, which Part of the
fleet revolt
against the
parliament,
and go to
Holland.
May 27.
Clarendon,
III. p. 103.
Rushworth,
VII. p. 1131.

^f This escape was managed by colonel Bamfield. Clarendon, Tom. III. p. 101.

CHAR. I. which was done but slowly, because there was not much to be feared from the sea. While this part of the fleet lay in the Downs, some Kentish gentlemen, the king's friends, frequently came on-board ^a. Whether they found in the sailors an inclination to mutiny, or raised it themselves by conversing with them, it happened shortly after, that the service was not performed in the fleet with the same submission as before. The sailors took the liberty to contradict their officers, and obey them no farther than they pleased. The officers perceiving this great alteration, acquainted the parliament with it, and immediately vice-admiral Rainsborough, who was to command that Squadron, was ordered to repair to the fleet, and inquire into the causes of this disobedience. Rainsborough, being naturally very severe, began to make strict inquisition on-board the admiral's ship; upon which the men all rose against him, and seizing on him, put him with some more of the officers into the boat, and sent them on shore. This was no sooner known to the rest of the ships, but they followed their example, and used such officers as they did not like, in the same manner. As the fleet was not yet well victualled, they were obliged to stay some days longer in the Downs, during which the royalists supplied them with necessaries in the best manner they could. After that they sailed for Holland, and came to an anchor at the Brill, in order to put themselves under the command of the duke of York, who was designed by the king to be lord high-admiral, as soon as he should be of fit age for that post.

The Duke
is received
on board as
admiral.
Clarendon,
III. p. 107,
108.

The duke of York repairing to the fleet, then at Helvoet-Skuis, was received with great acclamations. He declared the lord Willoughby of Parham, his vice-admiral ^b, and appointed some other officers in the several ships, the sailors having kept very few above the rank of a boatswain or mate ^c. As soon as the prince of Wales, who was at Paris with the queen his mother, heard of this revolt, he resolved to command the fleet himself, and employ it to the best advantage. But want of money detained him longer than he wished, cardinal Mazarin, not being very forward to supply him, no more than the earl of Ormond, who waited in vain at Paris, for the performance of his promises concerning Ireland. The news that the duke his brother was preparing

^a Some of the king's friends were also on board, with some authority. Clarendon, Tom. III. p. 118.

^b He had lately left the parliament, and withdrawn into Holland. Idem,

p. 108.

^c The castles of Deal and Sandwich declared also about this time for the king, but were reduced by colonel Rich. Ludlow, Tom. I. p. 237.

paring to sail with the fleet, made him repeat his endeavours to procure money upon loan, and succeeding at last, came to Calais, and from thence by sea to Helvoet-Sluys. He was received by the fleet with all the respect and joy that could be desired, and having provided what was wanting, by the prince of Orange's assistance, sent back the duke of York to the Hague, it not being proper to venture both at one time. His design was to seize Yarmouth, whether to go from thence and head the Scotch army, when it should be in England, or to secure an entrance into the kingdom, when there should be occasion. In failing to Yarmouth, he took a ship of London, bound for Rotterdam, laden with cloth by the company of merchant-adventurers. It was said this ship was worth forty thousand pounds. He ordered the goods to be sealed up, and continued his course. But he succeeded not at Yarmouth as he expected; the town refusing to admit him, though great part of the inhabitants were for the king. Wherefore he resolved to enter the Thames, as well to intercept all outward and homeward-bound ships, as to support the king's party, and that of the presbyterians in the parliament and city; for he was ignorant of the projects that were formed. Besides, the queen his mother had enjoined him to court the presbyterians, conceiving it was only by their means, that the king could be restored. For this reason also, he afterwards released the cloth ship for twelve thousand pounds.

Whilst the prince lay in the Thames, where he seized some other merchant-ships, the earl of Warwick, being well assured of the fidelity of the rest of the ships at Portsmouth, and elsewhere, assembled a fleet, and anchored in sight of the prince; so that in all appearance the two fleets would not part without an engagement. But though the prince seemed inclined to it, he was advised to avoid it if possible, and not without reason. His ships were fewer, and much smaller than the earl of Warwick's; besides, the earl expected others from Portsmouth every moment, which arriving the next day, rendered him very superior. So the prince sailed back to Holland, and secured his fleet at Helvoet-Sluys. The earl of Warwick followed him, and appeared before that port, but to no manner of purpose.

Thus ended the prince of Wales's expedition with the ships revolted from the parliament. The money he received for the prizes he had taken, was not sufficient to pay his fleet, and provide it with necessaries; so that it procured him more trouble than advantage. Before I leave this sub-

CHAR. I.
1648.

July.
The prince
of Wales
comes to the
fleet.

Id. p. 109.
He fails
towards
Yarmouth.

Takes a ship
richly laden.
P. 121, 122.

Is refused
admittance
into Yar-
mouth.

Enters the
river
Thames.

Rushworth,
VII. p. 1202,
1206, 1208,
Clarendon,
III. p. 109,

III.
P. 122.

The earl of
Warwick
approaches
him, in or-
der to en-
gage him.

Id. p. 123.
They part
without
fighting.

P. 124, 152.
Rushworth,
VII. p. 1145.
Ludlow.

CHAR. I. ^{1648.} it will not be improper, briefly to explain some circumstances in the lord Clarendon's history.

Explication
of some cir-
cumstances
related by
the lord
Clarendon,
III. p. 123.

II. p. 95.

Whilst the two fleets lay in sight, and seemed to prepare for battle, the prince sent Harry Seymour to the earl of Warwick, with a letter to invite him to return to his allegiance. The earl answered, that he advised his highness to put himself into the hands of the parliament. Notwithstanding this discouraging answer, the prince sent Mr. Crofts to the earl, who had married his aunt, imagining, he durst not venture to discover his sentiments to Seymour. But Crofts returned with much the same answer. Hence it appears, the prince thought he had some room to rely on the earl of Warwick, as the lord Clarendon insinuates, and the ground of his hope, which was properly the effect only of his, or rather of the whole royal party's, prepossession, was briefly this. The Scotch commissioners, as I said, did not acquaint the leading presbyterians with the particulars of their treaty with the king in the Isle of Wight. They only told them, an army would be raised in Scotland to deliver the king out of the hands of the independents, and that it was necessary the royalists and presbyterians should second these endeavours, by acting jointly or separately. This proposal being accepted, the royalists and presbyterians prepared, as I have said, to countenance the designs of the Scots by insurrections in several parts of the kingdom. Matters standing thus, Henry Rich earl of Holland, who had acted an ill part in the late war, had a mind on this occasion, to reconcile himself to the king, by labouring his restoration. To that end, he received a commission from the prince of Wales, empowering him to raise forces for the king's service, and his brother the earl of Warwick promised to assist him in his designs. This is what the prince knew, and what made him believe the earl of Warwick was in the same disposition with his brother. But there was a wide difference between the views of the royalists, and those of the presbyterians. These, of whom the earl of Warwick was one of the heads, did not pretend to restore the king without terms, but only to free him out of the hands of the independents, to make conditions with him afterwards, which they called settling the peace of the kingdom. But the prince, and the king's whole party would not understand this difference, and preposterously imagined, that all who had promised to act against the independents, had thereby engaged to serve the king without terms. Herein lay the mistake. It is therefore evident,

the

the earl of Warwick, who acted upon presbyterian views, CHAR. I. could not believe it his interest to deliver the fleet to the prince, since, notwithstanding the present occasion which induced the presbyterians to be in a readiness to act against the army, they still considered the royal party as their real enemies. 1648.

In the beginning of June, the king's friends found means to surprize Pontfract castle in Yorkshire, and put a garrison there. Shortly after Scarborough castle revolted from the parliament, and declared for the king. Pontfract castle surprized. Rushw. VII. p. [1131.]

The Scotch army being at length upon the point of entering England, general Fairfax being still employed in the blockade of Colchester, and Cromwell in the siege of Pembroke, and as there were but two regiments in London, Henry Rich, earl of Holland, thought he could not have a fairer opportunity to execute his design in favour of the king. This design was so far from being a secret, that it was become the common talk of the city. It was known beforehand, what day the earl of Holland was to depart, and the parliament did not seem to regard it. It was not for want of information; but the scene of affairs was much altered since the army's removal from London. The independents prevailed no more in the parliament, and the presbyterians began to hold up their heads. For this reason, the independents did not think proper, at such a juncture, to take any steps that might induce the city of London to declare openly. On the other hand, the presbyterian members were far from endeavouring to prevent the earl of Holland's design, which they considered as flowing from the general combination for the delivery of the king out of the hands of the enemy. So, the earl publicly departed from London, with about one hundred horse, and came to Kingston upon Thames, where George Villiers the young duke of Buckingham, the lord Francis Villiers his brother, Henry Mordaunt earl of Peterborough, and the family of the earl of Northampton, met him with some troops. As soon as they were joined, they sent a letter to the lord-mayor and common-council of London, declaring their intention was to join the forces of Surry, Sussex, and Middlesex, to release his majesty's person, to bring him with honour to his parliament, and to settle peace in the kingdom: and desired their assistance no farther than their designs were really for the good and happiness of the king, parliament, and kingdom, 'according to the covenant.' These last words,

Project of the earl of Holland. Clarendon, III. p. 95, 96.

He is joined by the duke of Buckingham and others. Clarendon, III. p. 95, 96. Rushworth, VII. p. 1178. They write to the city. July 7. p. 1180.

G g 3

guarding

* They made-up about five hundred horse. Rushworth, Tom. VII. p. 1178.

CHAR. I. according to the covenant, seemed necessary, because they knew the presbyterians wished for nothing so much as the confirmation of the covenant. But the magistrates of London thought not fit to chuse for leaders, the earl of Holland, who was in no great repute, or the duke of Buckingham an unexperienced youth, who had only the king's service in view, without any regard to the public, or the covenant; or in short, any of these lords, whose principles were by no means agreeable to those of the presbyterians. So, without answering the letter, they sent it to the parliament, who immediately voted the lords that had signed it to be traitors, and their estates to be sequestred.

They are
declared
traitors.
lb. d.

They are de-
feated near
Kingston.
Id. p. 1182.

The same day the letter was writ, colonel Levesey, with some companies of the two regiments that were quartered in Westminster, met these lords near Kingston, and entirely routed them. But, Levesey's foot which was left behind, not being yet arrived, and the lords having sent theirs to Kingston, to secure their retreat, the horse only, on both sides, were engaged. Levesey briskly pursued them to Kingston, where the foot stood their ground, and hindered the enemy's horse from entering the town. That same night they quitted Kingston, and retired to St. Alban's, with about four hundred men.

They are
surprized at
St. Neot's,
where the
earl of Hol-
land is
taken,
July 10.
Id. p. 1187.
Whitelock.

Mean while, general Fairfax hearing of this insurrection, sent from the blockade of Colchester, colonel Scroop with a regiment of horse, to the assistance of the parliament's troops. Scroop coming to Hertford, was informed, that the lords who had been defeated at Kingston, were at St. Neot's in a negligent manner. Upon this intelligence, he marched thither in the night, and surprized them in that little town, killing some of their men, taking above a hundred prisoners, and dispersing the rest. The lord Francis Villiers was slain¹. His brother the duke of Buckingham found means to escape, and the earl of Holland was taken, conducted to London, and afterwards sent prisoner to Warwick-castle. Thus ended this ill-concerted enterprize, managed by persons of no experince or skill in the art of war.

Rushworth,
VII. p. 1189.

The Scotch
army enters
England.
Pembroke
castle sur-
renders.
July 11.
Cromwell
marches to-
wards the
north.

At last, duke Hamilton entered England at the head of the Scotch army, the 9th of July. The eleventh of the same month, Pembroke-castle surrendered to Cromwell, who immediately dispatched a body of horse to reinforce the army in the north, commanded by major-general Lambert. He departed himself three days after, with the rest of his forces which were already very much fatigued by the late siege, and

¹ He was slain in a skirmish at Kingston. Whitelock, p. 318.

and of which the greatest part wanted shoes and stockings, though they undertook a long march, which probably would be followed with a battle. These difficulties discouraged not Cromwell. He pursued his march with all possible diligence, and yet could not join Lambert till the middle of August. We must now see what duke Hamilton was doing, whilst Cromwell was marching towards him.

CHAR. I.
1648.

Id. p. 1130,
1190, 1199,
1207.
Clarendon,
III. p. 124.
Burnet's
Mem.

The design of those who had prevailed for the raising an army in Scotland, seemed to be to assist the English presbyterians, to free the parliament from the yoke of the independents, and to deliver the king out of the hands of the army. These at least were the most plausible things that were urged to induce the parliament of Scotland to consent to this extraordinary expedition. But it may very justly be doubted, whether this was the design of all the leaders of that party. Some, among whom were duke Hamilton and his brother the earl of Lanerick, probably, sought only to restore the king without terms, or at least without any other condition than what he had himself offered, namely, his promise to observe the ancient laws. They did not much concern themselves about maintaining the establishment of presbyterianism in England, or the covenant between the two nations. Others, as the earls of Loudon and Lauderdale, who had been commissioners in England, really intended to serve the king, but upon these two conditions, that the presbyterian-government should be established in the church of England, and the covenant punctually observed. As they thought, they had taken sufficient care of these two points by the Isle of Wight treaty, they little regarded the other conditions required of the king by the parliament of England, concerning the militia, nomination to the great offices, &c. But very likely, their design was to deceive one another. These meant to make use of the king's party to procure the execution of the Isle of Wight treaty, and the king's party, feigning to agree to what the others desired, intended to make use of them to enable the king not to be forced to receive any terms. The duke of Hamilton's conduct after his entrance into England, seems to me a very strong evidence, that he designed not to act in favour of the presbyterians.

P. 355.
The duke of
Hamilton's
aim,

Rushworth,
VII. p. 1197.

The Scotch
commission-
ers and
royalists
would de-
ceive one
another.

If he had such an intention, he should not, it seems, have lost, as he did, forty days in the northern counties, but have marched directly to London. Lambert would not have been able to hinder his march, being much weaker than he. Cromwell was yet employed in Wales, and Fairfax in the blockade of Colchester. Probably, if, without losing time,

Duke Ha-
milton loses
a great deal
of time in
the north.
Clarendon,
III. p. 124,
125.

CHAR. I. he had marched to London, he would have arrived before
 1648. Cromwell and Lambert could have joined their forces; and
 if Fairfax had quitted the blockade of Colchester, in order
 to throw himself into London, very likly, the inhabitants
 would have shut their gates against him, since they would
 have been supported by the army of Scotland. At least, in
 case Fairfax had risen from before Colchester, that town,
 the whole county of Essex, and doubtless, Suffolk and Nor-
 folk, would have joined with the Scots. In a word, if the
 Scotch army had marched towards the center of the king-
 dom, there would, doubtless, have been in many places, in-
 surrections, which would have greatly distressed the army of
 the independents; and if duke Hamilton could have reached
 London, certainly the city and parliament would have openly
 declared against the army, and expelled out of both houses,
 the independent members. It will hereafter appear, these
 are not bare conjectures, considering what passed in the city
 and parliament, whilst it was expected, the Scotch army
 would take the course I have been speaking of.

Conjectures
 of the lord
 Clarendon's,
 T. III. p. 125

Different
 conjectures.

The duke
 marches.

But duke Hamilton had doubtless other views, since he
 staid above a month in the north, without any necessity.
 The lord Clarendon conjectures, the dukes intention was,
 to afford time to the English army to defeat those forces
 which were up in several parts of the kingdom for the king,
 that they might not be so united as to obstruct the presby-
 terians design. But, whatever regard I may have for that
 noble historian, I cannot be of his opinion, for two reasons
 which to me seem very strong. The first is, that duke Ha-
 milton was not a zealous presbyterian. On the contrary,
 though he had taken the covenant, he was episcopal in his
 heart, as he had sufficiently discovered whilst he could do it
 without danger. The second is, that he was the man who
 had most courted and drawn into Scotland the royalists,
 whilst the voting of an army was in question. I should ra-
 ther think, he had a quite contrary aim to what the lord
 Clarendon imputes to him; that instead of designing to
 countenance the presbyterian party, he rather feared to ren-
 der them too powerful, by approaching London, knowing,
 when the king should be in the hands of the presbyterians,
 his condition would not be much happier. Very likely, his
 long stay in the north, was only to give the king's friends
 in those parts opportunity to join Langdale's forces, and
 thereby render the king's party superior.

However this be, not to dwell too long upon conjectures,
 as soon as duke Hamilton entered England, he marched to
 Carlisle,

Carlisle, from whence he drew out the English, placed there CHAR. I.
 by Musgrave, and put in a Scotch garrison. Some days after, 1648.
 Langdale joined him with about four thousand English foot,
 and seven or eight hundred horse^m. But these troops re-
 mained separate, and in the marches, Langdale was always
 a day before the Scotch army. This was to evade in some
 measure the order of the parliament of Scotland, that the
 English who should refuse to take the covenant, should not
 be received into the army, nor act in conjunction with the
 Scots. Nevertheless the English and Scots made but one
 army, under the command of duke Hamilton, from whom
 Langdale received orders. Lambert, who was posted near
 the place where the two armies joined, or at least approach-
 ed each other, retired in such disorder, that probably he
 would have been defeated, had he been pursued, but duke
 Hamilton did not think fit to improve that advantage. He
 continued some days at Carlisle, after which he marched to
 Kendal in Westmorland, where he rested again, till find-
 ing not wherewithal to subsist his army, he was forced, as
 it were, to proceed to Lancashire with part of his army,
 leaving the rest at Kendal. At length, he advanced to Pre-
 ston, where he halted, the reason whereof is not known,
 unless it was to stay for Monroe, who was coming with
 three thousand men out of Ireland.

Mean while, Cromwell having reached Yorkshire, Lam-
 bert instantly joined him, and they marched together di-
 rectly to Preston, where duke Hamilton lay. Langdale who
 made the van of the duke's army with his English troops
 sent him notice that Cromwell was approaching with a reso-
 lution to give him battle, and consequently it was necessary
 to keep his army together. But the duke regarded not this
 intelligence, believing it to be only some detachment of
 Cromwell's army. In short, Langdale was attacked by the
 enemies horse, who drove him to Preston, where he brought
 with him some prisoners, who affirmed that Cromwell's
 whole army was near. Whereupon the duke sent him back
 to his troops, promising to send him assistance, but disap-
 pointed him. So Langdale being attacked, was forced to
 maintain a very unequal fight, which lasted however five or
 six hours; but at last he was entirely routed. Immediately
 after, Cromwell's horse marched directly to Preston, where
 all was in such confusion that nothing was thought of but
 flight. The duke himself thought proper to retire by the
 bridge,

Rushworth,
VII. p. 1189,
1193.
He is joined
by Langdale,
p. 1200.
Clarendon,
III. p. 124,
125.
Burnet's
Mem.

He enters
Lancashire.

Cromwell
joins Lam-
bert.
July 17.
Rushworth,
VII. p. 1211,
1219.
Clarendon,
III. p. 125.

He defeats
Langdale,
Ibid.

The duke's
army is
routed.
Id. p. 126.
Burnet's
Mem.

^m Duke Hamilton brought with thousand foot. See Burnet's Mem,
him four thousand horse, and ten p. 356.

CHAR. I. bridge, which he in vain endeavoured to guard; after passing it. The following letter was sent by Cromwell to the parliament, the 20th of August, containing a particular account of what passed between the two armies, on the 17th, 18th, and 19th of August.

Cromwell's
letter about
it.
Rushworth,
VII. p. 1237.

“ After the conjunction of that party which I brought with me out of Wales with the northern forces about Knareborough and Wetherby, hearing that the enemy was advanced with their army to Lancashire, we came the 6th instant to Hodder-bridge over Ribble, where we had a council of war; and upon advertisement the enemy intended southward, and since confirmed, that they resolved for London itself, and information that the Irish forces under Monroe, lately come out of Ireland, which consisted of twelve hundred horse, and fifteen hundred foot, were on their march towards Lancashire to join with them; it was thought, to engage the enemy to fight was our business; and accordingly marching over the bridge that night, quartered the whole army in the fields. Next morning we marched towards Preston, having intelligence that the enemy was drawing together thereabouts from all his out-quarters; we drew out a forlorn of about two hundred horse, and four hundred foot; these gallantly engaged the enemy's scouts and out-guards, until we had opportunity to bring up our whole army. So soon as our foot and horse were come up, we resolved that night to engage them if we could; and therefore advancing with our forlorns, and putting the rest of the army into as good a posture as the ground would bear, (which was totally inconvenient for our horse, being all inclosure and miry ground) we pressed upon them thro' a lane, and forced them from their ground, after four hours dispute, until we came to the town; into which four troops of my regiment first entered; and being well seconded by colonel Harrison's regiment, charged the enemy in the town, and cleared the streets. At last the enemy was put into disorder, many men slain, and many prisoners taken; the duke with most of the Scots horse and foot retreated over the bridge; were after a very short dispute betwixt the Lancashire regiments, (part of my lord general's and them being at push of pike) they were beaten from the bridge, and our horse and foot followed them, killed many, and took divers prisoners; and we possessed the bridge over Derwent, and a few
“ houses

“ houses there, the enemy being drawn up within musquet-
 “ shot of us, where we lay that night, we not being able
 “ to attempt further upon the enemy, the night preventing
 “ us. In this posture did the enemy and we lie most part
 “ of that night; upon entering the town, many of the
 “ enemy’s horse fled towards Lancaster, in the chase of
 “ whom we had divers of our horse, who pursued them
 “ near ten miles, and had execution of them, and took
 “ about five hundred horse, and many prisoners: we pos-
 “ sessed in the fight very much of the enemy’s ammunition;
 “ I believe they lost four or five thousand arms; the num-
 “ ber of the slain we judge to be about a thousand, the pri-
 “ soners we took near about four thousand.

“ In the night they marched away, seven or eight thou-
 “ sand foot, and about four thousand horse; we followed
 “ them with about three thousand foot, and about two
 “ thousand five hundred horse and dragoons; and in this
 “ prosecution that worthy gentlemen colonel Thornhaugh,
 “ pressing too boldly, was slain, being run into the body,
 “ thigh, and head, by the enemies lancers: our horse still
 “ prosecuted the enemy, killing and taking divers all the
 “ way; but by that time our army was come up, they re-
 “ covered Wigan before we could attempt any thing upon
 “ them. We lay that night in the field close by the enemy,
 “ lying very dirty and weary, where we had some skirmish-
 “ ing, &c. We took major-general Van Druske, col. Hur-
 “ rey, and lieutenant-colonel Ennis.

“ The next morning the enemy marched towards War-
 “ rington, made a stand at a pass near Winwick; we held
 “ them in some dispute until our army was come up, they
 “ maintaining the pass with great resolution for many hours;
 “ but our men, by the blessing of God, charged very home
 “ upon them, beat them from their standing, where we
 “ killed about a thousand of them, and took (as we believe)
 “ about two thousand prisoners; and prosecuted them home
 “ to Warrington-town, where they possessed the bridge.
 “ As soon as we came thither, I received a message from
 “ lieutenant-general Bailey, desiring some capitulation; to
 “ which I yielded, and gave him these terms: That he
 “ should surrender himself and all his officers and soldiers
 “ prisoners of war, with all his arms, ammunition, and
 “ horses, upon quarter for life; which accordingly is done.
 “ Here are took about four thousand complete arms, and
 “ as many prisoners: and thus you have their infantry
 “ ruined.

“ The

CHAR. I.
1648.

"The duke is marched with his remaining horse (which are about three thousand) towards Nantwich, where the gentlemen of the county have taken about five hundred of them; the country will scarce suffer any of them to pass, but bring in and kill divers as they light upon them. I have sent post to my lord Grey and Sir Edward Rhodes, to gather all together with speed for their prosecution: Monroe is about Cumberland, with the horse that ran away, and his Irish horse and foot; but I have left a considerable strength, I hope, to make resistance till we can come up to them.

"Thus you have the narrative of the particulars of the success. I could hardly tell how to say less, there being so much of God; and I was not willing to say more, lest there should seem to be any thing of man; only give me leave to add one word, shewing the disparity of the forces of both sides; that so you may see, and all the world acknowledge, the great hand of God in this business. The Scots army could not be less than twelve thousand foot well armed, and five thousand horse; Langdale not less than two thousand five hundred foot, and fifteen hundred horse; in all twenty one thousand: in ours, in all, about eight thousand six hundred, and by computation about two thousand of the enemy slain, betwixt eight and nine thousand prisoners, besides what are lurking in hedges and private places, which the country daily bring in, or destroy."

The duke is taken prisoner, and his whole army dispersed.

Clarendon, III. p. 126, 132.

Rushworth, VII. p. 1239, 1242.

Ludlow.

Whitelock.

To finish, in a few words, the relation of the unfortunate end of duke Hamilton and his army, I shall add, to what is said in Cromwell's letter, that the duke retiring to Nantwich, and finding himself pursued by Lambert with a strong party of horse, marched to Utoxeter in Staffordshire, where Lambert was almost as soon as he, and where the Scots made not the least show of resistance. In a word, the duke was taken with all the officers about him; and of the whole army, the horse only escaped, who went and joined Monroe in Cumberland. To this came the great effort of Scotland in favour of the king. I say in favour of the king, for it is certain, most of the authors of the enterprise intended the king's restoration, though they covered their design with other pretences.

Colchester surrenders at discretion to Fairfax, August 27.

The defeat of the Scotch army was followed, within few days, by the taking of Colchester, the blockade whereof had lasted above two months. The besieged having been forced to surrender at discretion, the general called a council of

of war, where it was determined, that Sir George Lisle, CHAR. I.
Sir Charles Lucas, and Sir Bernard Gascoigne^a should be 1648.
shot to death. The two first were executed, but the general hearing, Sir Bernard was a Florentine, saved his life, *Rushworth, VII. p. 1241, —1247.*
for fear the Grand Duke should revenge his death on the English gentlemen, who frequently travelled into his dominions^o. *Lucas and Lisle shot to death.*

The prince of Wales was at the Hague, when the news of duke Hamilton's defeat arrived there. On the morrow, John Maitland earl of Lauderdale waited on him with a letter from the parliament of Scotland, inviting him to come into their country, and head their army in England. But the news he had received the day before being confirmed, he did not think fit to hazard his person to no purpose, though the earl of Lauderdale pressed him extremely to depart. So, the earl was obliged to return all alone. *Clarendon, III. p. 106, 137. Lauderdale presses the prince in vain to go into Scotland. Clarendon, III. p. 124, 129, &c.*

After the recital of the effects of the several commotions raised by the king's friends in the last seven or eight months, it will be necessary, before we proceed, to speak of what passed the mean while in the parliament and city. *Rushworth, VII. p. 1230. The state of the parliament and city.*

Since the two houses had voted no more addresses to the king, there was a perfect union between the parliament and the army. The army no more pretended to meddle in state affairs. They consented that the supernumerary troops, that is, such as were not upon the late establishment, should be disbanded by companies, as money was raised to pay them. They promised to retire to the towns and garrisons as soon as the parliament should settle the necessary funds for their regular pay. This condescension or rather submission to the parliament, proceeded from the independents power in both houses, no resolution being taken but by their direction, or at least that was contrary to their views. On the other hand, though the presbyterians were not sorry, *The independents prevail in the parliament.*

there

The presbyterians rely upon the assistance of Scotland.

^a Or rather Gualconi, for that was the name of this Florentine, whom the English called Gascoigne. Rapin.

^o The other prisoners taken at Colchester were, George Goring earl of Norwich, the lord Capel, Henry Hastings lord Loughborough, Sir William Compton, Sir Ab. Shipman, Sir John Watts, Sir Lodovick Dyer, Sir Henry Appleton, Sir Dennard Strutt, Sir Hugh Oriley, Sir Richard Mauliverer, ten colonels, eight lieutenant-colonels, nine majors, thirty captains, gentlemen sixty-five, lieutenants seventy-two, ensigns and cornets sixty-nine, ser-

jeants a hundred and eighty-three, private soldiers three thousand sixty-seven. They held out so long, that all the dogs and cats, and most of the horses were eaten. The women and children being at the lord Goring's door, Aug. 20. crying out for bread, he told them, *They must eat their children, if they wanted.* Whereupon the women reviling him, threatened to pull out his eyes. The town was preserved from plunder, upon paying ten thousand pounds. *Rushworth, Tom. VII. p. 1232—1256. Whitelock, p. 324.*

CHAR. I. "their duties, for the safety and preservation of the parliament and city.

1648.

"That the command of the Tower of London might be put into the hand of such a person as should be nominated and presented to both houses of parliament by the lord-mayor and common-council.

"That the soldiers there remaining might be removed."

All this was granted against the interests of the independents, who, for a few months before, had ordered the contrary, because they knew the Londoners were not for them. Thus the city endeavoured by degrees, under divers pretences, to put themselves in condition to act, when the season was ripe.

Declaration
of the com-
mons.

Id. p. 1102.

It appears also by a declaration of the house of commons of the 5th of May, how much the presbyterians began to be superior in the parliament. This declaration ran: *"That the house is resolved to preserve and maintain the solemn league and covenant, and the treaties between the two kingdoms of England and Scotland: and that they will be ready to join with the kingdom of Scotland in the propositions agreed upon by the two kingdoms, and presented to his majesty at Hampton-court."* This was as a tooothing to unite themselves with the Scots, as soon as they should enter the kingdom. Probably, the commons believed them to be more ready than they were, and moreover, were yet ignorant, that the aim of those who had promoted the raising of an army in Scotland, was rather to serve the king, than support the presbyterian-party in England. But they soon perceived, the royalists intended not to maintain the parliament's interest.

The royalists
eagerness is
prejudicial
to the king.

If the cavaliers, for so the king's party were called, had behaved with a little more policy, and less passion and heat, they might have done the king signal service. But they so openly showed, that their design was to restore the king without terms, that they obliged the presbyterians to be upon their guard, and even to oppose them, instead of acting jointly with them, as the cavaliers expected. This passion, or, if you please, extreme zeal for the king's service, was always the distinguishing character of that party, and often baffled their designs. Some of this party, inhabitants of the county of Surrey, could not contain themselves so long as would have been requisite for the king's interest. They assembled in great numbers, horse and foot, and came to Westminster, where they presented a petition to the lords, and another to the commons, worded in such high and strong terms,

terms, that they seemed to believe themselves supported by the whole kingdom. They demanded :

“ That the king might be restored to his due honour, and just rights, according to the oaths of allegiance and supremacy : that he might be forthwith established in his throne, according to the splendor of his ancestors : that he might for the present come to Westminster with honour and safety, to treat personally for composing differences : that the free-born subjects of England might be governed by the known laws and statutes in force in the kingdom : that the war beginning might be prevented ; and that the ordinances for preventing free quarter, might be duly executed, and speed made in disbanding all armies, having their arrears due paid them.”

CHAR. I.
1648.
Petition
from Surrey
in behalf of
the king.
May 16.
Rushworth,
VII. p. 1116.

Nothing could be more unseasonable than this petition in such a juncture, when the business was to foment the division between the presbyterians and independents, whereas the petition tended to unite them against the royalists. The lords answered, “ They were now upon the consideration of the settling of the kingdom, and doubted not to satisfy all.” Whilst the commons were debating on the petition, some of the Surrey-men⁹ quarrelled with the parliament’s guard, disarmed two or three of the soldiers, and killed one. Whereupon, to hinder them from carrying their violence any farther, more horse and foot were sent for from the Meuse and Whitehall, who slew and wounded several, before they could be dispersed.

Ibid.
Whitelock,
p. 306.

This attempt, and an information brought to the house of commons, that soldiers were privately lifting in London, and a plot contriving by the royal party to ruin both parliament and city, presbyterians and independents, caused the parliament and city to enter into a strict union together. It was equally their interest to guard against the royalists, who hated the city no less than the parliament and army, and to take measures to hinder the execution of the cavaliers designs. Thus the impetuous zeal of the cavaliers was extremely injurious to the king ; whereas had it been well managed, it might have procured him great advantages. If they could have resolved to conceal their sentiments, and suffer the presbyterians

Union between the city and parliament.
May 20.
Rushworth,
VII. p. 1119,
1120.
Whitelock.

⁹ They were almost drunk, and had been animated, as they came through Westminster-hall, by some of the royalists. The quarrel began, by some of the countrymen asking the guards, Why they stood there to guard a com-

pany of rogues ? meaning the parliament. Whitelock, p. 306. Sir T. Herbert says, The soldiers first affronted the petitioners, because they required that the army should be disbanded. Mem. p. 52.

CHAR. I. presbyterians to believe, that their sole design was to deliver the king out of the hands of the independents, and to act against the army, they would have, doubtless, considerably strengthened their party; and the presbyterians, instead of hurting, would have assisted them. This was, probably, duke Hamilton's project, and theirs, who laboured to procure him the command of the Scotch army. But the rash and impetuous zeal of some particular persons, to whom it was not thought proper to impart the secret, caused the presbyterians to be as much upon their guard against the cavaliers, as against the independents. So, in all the insurrections in several parts of the kingdom, whilst the Scotch army was expected, the presbyterians were wholly unconcerned, except in Kent, where some general officers and reformados were willing to engage. But after that disappointment, they lay still in expectation of the Scots, on whose assistance they relied very much, though, as I before observed, without any foundation.

The presbyterians mistrust the royal party.

They determine to conclude a peace with the king, on three previous conditions.

Mean while, the presbyterians were greatly embarrassed. The Scotch army was not yet come, and they were in no less danger from the king's successes, than from the army's. They could therefore join with neither of the parties, without labouring their own ruin. The designs of all three were so opposite, that, whichever should prevail, the other two would be infallibly ruined. The presbyterians therefore resolved at length to take advantage of the army's absence, of the number of their voices in the parliament, and of the assistance of the city, to conclude a peace with the king. But in order to this peace, it was necessary the king should consent to three conditions, without which they could not resolve to be reconciled to him. The first was, *'That the militia of the kingdom should, for such a number of years, be put into the hands of both houses.'* This point having been the immediate cause, or at least the pretence of the war, they could not depart from it, without evidently showing, the war had been undertaken without an absolute necessity, which would have rendered them odious to the whole kingdom. For to what purpose had so much blood been spilt, and so much treasure consumed, if a peace could be made without that security? Besides, in neglecting this article, they would, as I may say, have put themselves in the king's mercy, whom they had mortally offended. The second condition was, *'That the presbyterian government should be established by authority of king and parliament.'* This condition was no less necessary. It was one of the strongest motives

sives of their undertaking and continuing the war, wherein CHAR. I. they had been crowned with success, the advantages of 1648. which they were not disposed to relinquish. What would they have gained by the war, if by a peace they were to be liable again to the jurisdiction of the bishops and episcopal clergy, their mortal enemies? The third condition was, *‘That the king should call in all his proclamations and declarations against the two houses.’* The necessity of this condition is evident, for the king having declared the members of both houses rebels, they could not treat with him as such, without renouncing all their rights and pretensions.

The resolution of treating with the king being taken by the leading presbyterians, the question was, to put it in execution. General Fairfax departing from Windsor the 22d of May, to march into the North, though within a few days he was forced to take the Kentish route, the next day the common-council of London presented a petition to both houses of parliament, wherein they said :

“That they thankfully acknowledged the favour of the
 “house, in granting their desires concerning the Tower, and
 “militia of London; and in communicating to them several
 “votes of both houses of parliament, wherein it was resolved
 “not to alter the fundamental government of the kingdom,
 “by king, lords, and commons; to preserve inviolably the
 “solemn league and covenant, and the treaties between the
 “kingdom of England and Scotland; and to be ready to
 “join with the kingdom of Scotland, in the propositions
 “agreed upon by both kingdoms. They further desired,
 “that the aldermen, the recorder, and the rest of their
 “fellow-citizens, then in the Tower, might be discharged
 “and restored; and that in prosecution of their said votes,
 “they would be pleased to improve all good opportunities
 “in perfecting the speedy settlement of the peace of both
 “kingdoms.”

The London
 address to
 the parlia-
 ment.
 Rushworth;
 VII. p. 1125.
 Whitelock.

This petition was the first step taken by the city of London, to give the parliament occasion to endeavour a peace. The members, as I said, were for the most part presbyterians, and yet the independents prevailed, because they were supported by the army. So, from the 6th of August 1647, to the end of May 1648, the parliament must be considered as independent, because the votes were directed by that party. But after the army’s removal from London, the presbyterians had exerted themselves, and, no longer fearing the army, passed such votes as were most agreeable to their interest. From that time, therefore, the parliament is not

Remark on
 the change
 in the par-
 liament.

CHAR. I. to be considered as independent, but rather as presbyterian.
 1648. This remark is absolutely necessary for understanding the
 reason of the difference between the proceedings of the parliament of which we are going to speak, and those from the 6th of August the last year.

The desires
 of the city
 are granted.
 May 23.
 Rushworth,
 VII. p. 1118,
 1125, 1126.
 Whitelock.

The petition above-mentioned being read in both houses, they ordered the recorder, and all the other prisoners, to be released, except the three aldermen, who had been impeached in form, but who, nevertheless, were also discharged after some days. They farther ordered, that the soldiers posted in the Tower to reinforce the garrison, should return to their regiments.

Votes to
 treat with
 the king.
 Whitelock.
 Rushworth,
 VII. p. 1127.

On the morrow, the commons voted, notwithstanding the opposition of the independent members, That, after his majesty's assent to the three bills, which should be offered to him, a treaty should be had with him upon the rest of the propositions presented to him at Hampton-court. These three bills were for settling the militia, the presbyterian government, and recalling all his declarations against the two houses. These bills were ready the 30th of May, and sent to the lords for their concurrence. The same day, the general having drawn out the troops that were in the Tower, at Whitehall, and the Meuse, to employ them in his expedition against the Kentish-men, the house empowered the militia of London to send guards to the parliament, from time to time, as occasion should require.

The militia
 of London
 guard the
 parliament.
 Id. p. 1132.

Proceedings
 of the parliament
 to unite with
 Scotland.

The presbyterians were very much at ease, since they were no longer checked by the army. But they still wanted one thing, of which they resolved to take care. Whilst the two houses were governed by the independents, the Scots thought to have cause to complain, and, on that pretence, they were levying an army to march into England. For this reason, the parliament, now become presbyterian, believed it necessary to remove all occasion of complaint, by giving them satisfaction, and to show, they meant to proceed in a different manner from what they had done, whilst checked by the independents. They now declared, they intended to maintain the covenant, and the treaties between the two kingdoms; and to convince the Scots, the house of commons voted, That the three bills to be presented to his majesty, should be communicated to the parliament of Scotland for their approbation. It is easy to perceive, that the aim of the two houses was to secure the assistance of Scotland, and indeed it seems to have been Scotland's interest to unite with the parliament of England, since it was become presbyterian.

June 4.
 Id. p. 1132,
 1136.

presbyterian. But, as I observed, those by whom the parliament of Scotland was then managed, sought not so much the good of the kingdom, as the king's advantage; but of this the parliament of England was yet ignorant, or perhaps would hardly believe it. There was moreover, in the fore-mentioned resolution, one great inconvenience, namely, loss of time. It was the presbyterians interest to hasten the treaty with the king, whilst the event of what was preparing, was yet doubtful. But, on the contrary, delay was advantageous to the independents, who, as will hereafter appear, failed not to use that method to break their enemies measures.

The next day the commons ordered that the eleven members of their house, and the seven peers accused by the army, should be fully discharged, and Glyn ^r member for Westminster, who had been expelled, was received into the house.

As the two houses perceived, that the several insurrections in the kingdom were wholly in favour of the king, they prohibited, on pain of death, to take up arms without their authority. They imagined to have no farther occasion for such friends to defend them against the independents. Mean while, as they had no army to protect their adherents against the attempts of the cavaliers, it was moved to raise forces, and oblige the officers to take the covenant. But after some debates, this last point was ordered to be laid aside for the present. It was also proposed to remove the king to Windsor. But nothing was determined. Probably, the house knew not how to compel Hammond, in case he refused to deliver the king.

Though the vote to present the three bills to the king passed the 2d of June, it was the 26th before the two houses appointed a committee to debate upon the manner and place of treaty with the king, and their report was made the 30th. In the mean time, the lord-mayor, aldermen, and common-council of London, presented a petition to the two houses, desiring,

"That a personal treaty might be obtained betwixt his majesty and both houses, in the city of London, or some other convenient place.

"That the Scots might be invited to the treaty. That, so according to the duty of their allegiance, protestation, solemn league and covenant, his majesty's royal person, honour, and estate, might be preserved, the power and

H h 3

"privilege

^r Recorder of London. He was discharged the 23d of May, upon the petition presented that day by the common-council.

CHAR. I. "privilege of parliament maintained, the just rights and liberties of the subjects restored, religion, and government of the church in purity established, all differences might be the better composed, and a firm and lasting peace concluded, &c."

p. 1168.
Whitelock.
Clarendon,
III. p. 139.

To this it was answered by both houses, that they were now employed in considerations of peace, and doubted not but what they had done, and should do therein, would be satisfactory to the city of London, and all others, that desired to see the troubles of the kingdom ended in a safe and just peace.

The report of the committee appointed to consider of a personal treaty with the king, was :

Report of
the committee
in favour
of the king.
Rushworth,
VII. p. 1170.

"1. That the vote of the 3d of January, 1647, forbidding any addresses to be made to, or received from, his majesty, should be made null.

"2. That the three propositions sent into the kingdom of Scotland, and to be presented to his majesty before a personal treaty be had, should not be insisted upon.

"3. That his majesty be removed to some of his houses within ten miles of London."

The lords
desire the
commons
not to insist
upon the
three bills.
Ibid.
The commons
refuse
it.

The same day, the lords acquainted the commons, that they approved of the propositions reported by the committee, and desired their concurrence. But the commons were not so expeditious as the lords. They could not resolve to begin a negotiation with the king, without being first secure of the three conditions which were to be the foundation of the peace. I have already mentioned the reasons. Mean while both houses continuing in their respective opinions, it was almost a month before the dispute was ended.

The lords
reasons.
July 20.
Rushworth,
VII. p. 1183.

The lords urged, at a conference, that the three bills should not be insisted on. 1. That there may be no delay in the thing, a speedy personal treaty being so much desired and petitioned for. 2. Because it is the desire of the parliament of Scotland. 3. The agreement upon the treaty will be the more authentic. 4. It is probable, the king, having no army in being, will condescend to that which at Uxbridge and Oxford he refused. 5. It is not the way of treaty to confirm any particular, before all is agreed, especially those of most concernment, and which will be chiefly insisted upon.

The commons
reasons.
July 25.
p. 1202.

The commons answered, "That the disaffected party in or near London is so great, that if the king grants not the militia before he comes, there will be no safety for the parliament, nor is the treaty like to proceed; for
"many

“ many will endeavour to bring in the king without any agreement, and even with destruction to the parliament. 1648. CHAR. I.
 “ 2. If the presbyterian government be not decreed, all things will grow into confusion in the churches, and the present ministers be great sufferers. 3. If the declarations be not recalled, the parliament is not in capacity to treat, having been declared rebels and traytors, and no parliament, but a pretended one, which was never done by any of the kings of England. And whereas it may be objected, these things need debate; it is answered, the king is not ignorant of the full demand of these particulars, they having been over and over presented to him; and to the two first he hath declared a willingness; nor yet is he obliged to pass them as bills, unless all other things are agreed upon; and if no agreement, (he being at liberty) a new war is like to ensue.”

To these reasons the lords replied, “ That they could not imagine, nor was it probable, that the party about London, who had petitioned for a treaty, would put it on to the disadvantage of the parliament. 2. They did not apprehend any prejudice to the parliament’s party during the treaty. 3. His majesty had declared, he would consent to all together; and not to any before all was agreed. And that in case there were no agreement, they were in state as before.” The lords reply. Ibid.

The commons being by no means satisfied with these reasons, answered, “ There was no doubt but those in the parts about London, would put forward the treaty, to the disadvantage of the parliament and kingdom; being such who had not only petitioned the re-establishment of the king without conditions, but had taken up arms, and were now in arms for no less (as they say at Colchester) than to cudgel the parliament into a treaty. 2. For his majesty’s saying, he would not pass any before all were agreed; it seems not; for he pretends to be willing to pass these only upon conditions, or in any way, as that *de facto*, he will; and *de jure*, the power shall be declared in him; which were, for the parliament to part with that, which will be their irreparable loss and destruction. And, besides, as to security, what appears, unless the grant of these propositions? For it is supposed, the treaty will be in or near London. And what is said, How his majesty shall be? Who shall be with him? How

H h 4

“ the

* By a member, for this was a free conference. Rushworth, Tom. VII. p. 2102.

CHAR. I. "the disaffected shall be ordered? Moreover if this be not, 1648. "why may not things settled by law be revived? Episcopacy again set on foot? All the ministers turned out for scandal, re-enter? Others of honest life put to seek their livings? How then, in case no accord be made, can it be thought that the parliament will be in state as before?"

The time passes in vain, and the independents contribute to it.

p. 1206. Another delay upon the means of treating at London.

Id. p. 1186. Clarendon, III. p. 139.

This dispute held till the 28th of July, the independent members heartily joining with the presbyterians in whatever could retard or obstruct the treaty. But it was not upon this point only that they endeavoured to spend the time to no purpose.

Whilst the contest between the two houses still lasted, the city of London having presented a petition, declaring, they did concur with the desire of a personal treaty contained in another petition of the military officers, it was ordered, that a committee of parliament, and another of the common-council, should meet together, and examine the affair. In the frequent conferences between these committees, the independents used several artifices to prolong matters. The presbyterians concurred with them in the same design; for, as I said, they were against treating with the king before he had consented to the three bills. The committee of parliament put several questions to the committee of the common-council, which these were not prepared to answer; and, as they had no instructions about them, they were forced to desire time to consult those by whom they were appointed. By that means the conferences were multiplied without any thing done; for no sooner was one demand answered, but another was made, and so the time passed in vain.

The common-council attempt to force the parliament to treat. Rushworth, VII. p. 1187.

p. 1196.

The commons order Skippon to raise forces.

At last the common-council, perceiving these questions were designed only to amuse them, ordered it to be declared to the committee of parliament, that it was the desire of the city, that a treaty should be entered into with all expedition. They ordered likewise, that the engagement last year, to guard the king and parliament against all force, which had brought the army to London, should be subscribed by all the inhabitants, either by calling them together, or by carrying it from house to house to be signed. They were not contented with this; for they so managed, that the watermen and others presented also petitions, that the personal treaty might be hastened. In short, they plainly showed, what they could not obtain by fair means, they would have by force. Whereupon, major-general Skippon was privately ordered by the commons to lift soldiers in the city,

city, and be ready to guard the parliament in case of any violence. The common-council complained of these levies which were making in the city, without the privity of the committee of militia. But the house approved of them, under colour the city was in danger from the cavaliers. Nay, they imparted to the common-council, certain intercepted letters, in one of which was inclosed a declaration from the prince of Wales. Another was writ from London to one at Edinburgh, intimating that the king's party was very powerful in London: that there was no danger from any but Skippon, who was raising troops; but however they were nothing in comparison of those who were secretly listed for the king. That it should be so ordered, that Skippon should soon be deprived of his post, and expelled the city.

CHAR. I.
1648.

The city complains of it.
The house tries to appease them.
Rushworth, VII. p. 1208,
— 1210.
Whitelock. p. 316, 324.

It is certain, in the present situation of affairs, the royalists conceived great hopes. Nay, many cavaliers scrupled not to pass for presbyterians, and mixed with them, to strengthen the party of those who intended to force the parliament to a peace. Hence arose the contest between the commons and the city of London. Among the presbyterians many were apprehensive, that by a too long delay, the opportunity of treating advantageously with the king would be lost. They flattered themselves, that in such a juncture, the king would refuse nothing of what should be desired, and they did not see the necessity of losing time in requiring things beforehand, which in their opinion could not but be granted in a treaty. This opinion, entertained by the lords and common-council of London, was solely founded in a false imagination, that the king could not but think himself lost, if the Scotch army should once enter England, and consequently would grant every thing, in so desperate a case; wherein they were much mistaken, as we have seen. But the commons still insisted upon the three bills, as absolutely necessary for the security of the kingdom. Whilst the presbyterians thus differed among themselves, the time passed away without any effectual endeavours for a peace. The blockade of Colchester was just at an end: Cromwell was upon the point of finishing the siege of Pembroke Castle, and going to join Lambert; and Fairfax, after the taking of Colchester, was about to come once more and awe the parliament. Besides, the king's party was daily increasing in the north, where Langdale, whose forces were now above four thousand, was preparing to join duke Hamilton.

Several royalists mix with the presbyterians.

The

CHAR. I. The affairs of England were then in a terrible confusion,
1648. The wisest and most experienced could not form any probable conjecture on what was to happen, each of the parties

The uncertain state of affairs.
July.

Interests of the Independents.

having almost equal reason both to hope and to fear. Indeed, the independents were no longer masters in the parliament, but were however sufficiently numerous to obstruct, by sundry artifices, or at least to retard the peace, or prolong the negociation. Moreover they were supported by three armies, which, though remote from London, inspired their enemies with terror. Nevertheless they saw, it was intended to take advantage of the absence of these armies to conclude a peace with the king, which could not but ruin them, if made before their forces were rejoined. They knew themselves to be equally hated by the Scots, the presbyterians, and the royalists. They were therefore in danger that these three parties would unite against them, as indeed it was projected, and then the independents would have been too weak to resist so many enemies at once. It was therefore their interest to hinder that union as much as possible, till the events of the war which was going to rekindle, should unravel the affairs of the kingdom. They confided much in Cromwell's valour and capacity, and impatiently expected, that the end of the siege he had undertaken, would enable him to join Lambert in the north, and oppose the Scots, who were ready to enter England.

Errors of the presbyterians.

The presbyterians had no army at all. Their whole reliance was on the city of London: but their leaders were extremely troubled to see the magistrates pursuing wrong methods, whether by the artifices of the cavaliers, or by a too earnest desire of peace. They hoped however, the king, in his present circumstances, would immediately grant their demands, in order to free himself out of the hands of the independents, and unite the whole kingdom against them. But they built upon no solid foundation. Had there been a treaty at the time I am speaking of, the king, who knew the Scotch army was not designed against him, would have granted at most but what he was obliged to by his treaty with the Scotch commissioners, which would not have been sufficient to content the presbyterians, as the sequel will show.

Refuge of the king's party.

As for the royalists, the leading men being informed of duke Hamilton's intentions, they must have entertained great hopes. They flattered themselves, that the Scots and presbyterians would equally assist in delivering the king from captivity, and that when he should be free, and the independent

pendent party subdued, he would be able to withstand the
 presbyterians and renew the war, in case unreasonable terms
 were insisted upon. They saw however with great concern
 their designs ruined in Kent, in Essex, and by the ill suc-
 cess of the earl of Holland's and duke of Buckingham's at-
 tempt. Certainly they were in an ill situation, between
 the presbyterians and the independents, what hopes soever
 they had entertained of deceiving the presbyterians, and in-
 gaging them to serve the king, under colour of acting against
 the independents. Their whole refuge therefore lay in the
 progress to be made by duke Hamilton and Langdale, and in
 the expectation of inducing the city to force the parliament
 to conclude a hasty peace to the king's advantage.

CHAR. I.
 1648.

At last the so long expected army of Scotland entered
 England, as hath been said, about the beginning of July.
 When the raising it was resolved, it was designed against
 the parliament of England, then under the direction of the
 army and independents. But when the Scots came into
 England, the face of affairs was changed and the parliament
 not only become presbyterian, but had taken several steps to
 show, they intended to preserve an union and good corre-
 spondence between the two kingdoms. Mean while, though
 the committee of the parliament of Scotland was not igno-
 rant of what passed in England, they had not given new in-
 structions to duke Hamilton, or expressed any desire to join
 with the parliament, now freed from the dominion of the
 army. Thus duke Hamilton entered England as enemy to
 the parliament, since there was no alteration in his orders.
 He pretended, indeed, a design to maintain the covenant.
 But the parliament had also declared, they had the same in-
 tention. What then could hinder the duke from making
 some advances to the parliament, to demonstrate, he was
 sent into England to promote that design? At least, when
 he entered a foreign kingdom with an army, he should, one
 would think, have published a manifesto to declare the in-
 tentions of his masters. But he only writ to major-general
 Lambert, "That the committee of the estates of parlia-
 ment had commanded him to enter England with an
 army, for maintaining the covenant, settling religion, de-
 livering the king from his base imprisonment, freeing the
 parliament from the constraints put upon them, disband-
 ing the armies, whereby the subjects might be free from
 the intolerable taxes and quarter which they had so long
 groaned under, and for procuring a solemn peace and
 firm union betwixt the kingdoms under his majesty's go-
 vernment."

Duke Ha-
 milton's be-
 haviour
 when he en-
 tered Eng-
 land.

He writes to
 Lambert.
 Rushworth,
 VII. p. 1194.
 Whitelock.
 p. 321.

CHAR. I. "vernment." But if what passed before be considered, it will be easy to perceive, this army was designed to restore the king without conditions, or at least upon terms very different from those that were pretended to be laid on him. Though I have touched upon this subject in several places, I believe it will not be amiss briefly to sum up the reasons, which invincibly prove that the Scotch army was solely intended for the king's service.

Proofs of the Scotch army being solely designed for the king's service.

1. The Scotch commissioners had treated with the king without being authorized by their parliament. They had treated for the affairs of England without receiving any power from the English.

2. They had engaged to endeavour to restore the king to the throne of England, without any other condition than the confirmation of the presbyterian-government for only three years. As for the covenant, they had indeed obliged the king to promise, he would confirm it, for the security of those who had taken it; that is, that they might not be prosecuted on that account: but with full liberty to every one not to subscribe it. They had engaged to maintain the rights of the king and crown with respect to the militia, the great-seal, nomination to offices, choice of privy-counsellors, negative voice in the parliament. Moreover, they had concealed the contents of the treaty from the leading presbyterians, and at the same time communicated them to the king's principal friends.

3. These same commissioners had engaged Sir-Marmaduke Langdale and Sir Philip Musgrave to raise forces for the king and seize Berwick and Carlisle.

Clarendon, III. p. 98.

4. These two gentlemen had repaired to Edinburgh where they had often conferred with duke Hamilton and others of the king's party, and when the commissioners of England complained of their being suffered at Edinburgh, they were only concealed, and the conferences with them continued.

5. Duke Hamilton, before his departure from London, had declared, he would do the king signal service, and this duke was placed at the head of the army.

6. The same duke had entered into an engagement with Langdale, that as soon as the Scotch army was in England, there should be no more mention of the covenant, and all the king's friends should be received into the army without distinction. It is true, he was afterwards restrained by a decree of the parliament of Scotland. But he found means to evade it, by causing Langdale to march one day before him,

him, as if Langdale had not acted by his orders. But the contrary plainly appeared, when he was defeated by Cromwell. CHAR. I.
1648.

7. The parliament of Scotland was called by the credit of duke Hamilton and the commissioners who had treated with the king, and the members were elected by the cabals of the same party.

8. When the levying an army came to be debated in the parliament, it was strongly opposed, as well by several lords, as by the general-assembly of the kirk. It was solidly proved, that at least the grounds of the war ought to be declared before it was resolved. Protestations were also made against it; but they were evaded, of which there can be no other reason given, but that the army was designed for the king's service, though it was not thought proper to declare it.

2. Finally, when the duke had entered England, he took not the least step to intimate he was come to support the presbyterian party. Instead of marching directly to London, whilst Cromwell was at a distance, though he might be sure the parliament and city were very desirous to join him, he spent above a month in the northern counties without any necessity. This conduct therefore shows, his design was not to assist the presbyterians, though he intended to act against the independents.

What has been said clearly proves, the Scotch army came into England with design to restore the king without terms, under colour of delivering him from the independents. It is no wonder, that the parliament, where the king had few friends, should declare this army enemies of the kingdom, as soon as their entrance was known. Nevertheless, as the presbyterians were yet persuaded, the Scots were come to support them, it was with great struggle that this declaration passed the house of commons. Ninety presbyterian members opposed it to the utmost of their power, so far were they from imagining, the Scots had taken up arms for the king's interest. But it was not long before they were undeceived.

The 28th of July the commons agreed at last, that the king should be treated with upon the Hampton-court propositions, without being obliged to sign the three bills before-mentioned. In all likelihood the presbyterians were at length sensible, that by deferring the treaty, they were labouring for the independents, who sought only to waste the time, till Cromwell, who was in the midst of his march, should have joined Lambert. But it was not possible to advance

The independents regard the treaty by sundry artifices. Id. p. 1206. Whitelock. Ludlow, T. I. p. 262, &c.

CHAR. I. vance so far as would have been necessary to finish or even
 1648. begin the treaty, before the revolution caused by duke Hamilton's defeat. The formalities which must be observed in a parliament, several unexpected affairs, the arrival of the prince of Wales before Yarmouth, and afterwards in the Thames, afforded the independent members frequent occasions to prolong the treaty. On all these occasions, they affected to make tedious speeches, which wasted many days sitting. When they saw it was not in their power to set aside the treaty, or oblige the house to insist upon the three bills, they feigned to consent freely to the negotiation: *Rushworth, VII. p. 1127, 1206, 1266.* but withal, perpetually found means to delay it. In a word, to know what were the fruits of these artifices, it need only be considered, that the commons first resolution to treat with the king was on the 24th of May; but they did not desist from the three bills till the 28th of July; that it was the 18th of September before the negotiation began, and consequently the affair held four months, without reckoning the time spent in the treaty. So, before the conferences began Cromwell had defeated duke Hamilton, and was marching into Scotland to hinder the Scots from returning to disturb England. On the other hand, general Fairfax having taken Colchester, was posted with his army within twenty miles of London to awe the parliament. It is therefore certain, when the negotiation begun, affairs were far from being in the same estate as when the treaty was resolved. The good success of the army made the presbyterians more timorous, and the independents more bold. But on the other side, the king, losing all hopes of assistance both from the Scots and the royalists, found himself indispensably obliged to yield in a treaty what he would never have granted, if the face of his affairs had not been changed. These are considerations which I thought requisite, before I proceeded to what passed the five last months of the year 1648.

The king's demands.
Id. p. 1225, &c. 1212, 1214, 1216, 1224.

Aug. 14.
p. 1225. Whitelock. Heath.

Since the commons had consented to treat with the king, without obliging him to sign the three bills, five day more had passed before the manner, place, and time of the treaty could be settled^t. The king required that all persons might have access to him as when at Hampton-court: that the Scots should be invited to assist at the treaty, and appointed the town of Newport in the Isle of Wight for the place of conference. The commissioners who had been sent to him, having

^t Both houses agreed, August 2, to treat with the king in the Isle of Wight; and the earl of Middlesex, Sir John Hippesley, and Mr. Bulkeley, were sent,

August 4, to his majesty, with the votes of the two houses. See *Rushworth, Tom. VII. p. 1214, 1216.*

having reported his desires to the houses, the lords, who CHAR. I. were willing to dispatch the affair, two days after passed the 1648. following votes:

“ 1. That the votes of both houses of parliament, against The votes of the lords thereupon. Aug. 16. no farther addresses and application to his majesty, be recalled.

“ 2. That such persons as his majesty shall send for, as of Rushworth, VII. p. 1229. Whitehall. necessary use to him in the treaty, be admitted to wait on him: and that his majesty be in the same estate of freedom, as he was last in at Hampton-court.

“ 3. That such servants as his majesty shall appoint, be sent to wait on him.

“ 4. That the place for the treaty be in Newport, in the Isle of Wight.

“ 5. That the Scots be invited to treat with his majesty.

“ 6. That his majesty be admitted to invite them.

“ 7. That the instructions given from both houses of parliament, to colonel Hammond governor of the Isle of Wight, be recalled.

“ 8. That five lords and ten commoners be chosen commissioners, to treat with the king.

“ 9. That it be referred to the committee of lords and commons for peace, to prepare all things in readiness for the speeding of the treaty.”

These votes being sent to the commons, they did not think proper to pass them without some amendments.

“ The first was admitted.

“ As to the second, the commons ordered, That his majesty should be desired to send to the houses the names The commons restrictions. Aug. 17. Rushworth, VII. p. 1230. of such persons as he should conceive to be of necessary use about him during the treaty; they not being persons excepted against by both houses of parliament from par-
don, or that were then under restraint, or in actual wars against the parliament by sea or land; or in such numbers, as might draw any just cause of suspicion; and that his majesty should be in the same freedom, honour, and safety, as he was in when he was at Hampton-court.

“ Upon the third, they concurred in the vote for his majesty's attendants, provided they were such as were not in any of the former qualifications.

“ The fourth was approved of.

“ As to the fifth and sixth, the question, Whether the Scots should be invited by the parliament, to send commissioners to treat with his majesty upon the propositions presented to him at Hampton-court, it was carried in the

“ negative.

CHAR. I. "negative. But it was ordered however, That if the king
1648. "should think fit to send for any of the Scottish nation, to
advise with him concerning the affairs of the kingdom of
Scotland only, the houses would give him a safe-conduct.
P. 1231. "Concerning the seventh, it was resolved, That before
1232. "the recalling of colonel Hammond's instructions, they
Aug. 21. "should send again to his majesty, to let him know, how
P. 1233. "far they had proceeded, as to a treaty, and to have his
majesty's approbation.

"The eighth and ninth were admitted without any difficulty."

Instructions "The next day the commons ordered new instructions to
to colonel colonel Hammond, viz.

Hammond. "That the king be removed to Newport, and be in the
Aug. 22. "same condition and freedom there, as he was at Hampton-
Rushworth, "court.
VII. p. 1236. "That no person in the first exception out of mercy,

Whitelock. "nor under restraints of the parliament, nor of late actually in arms against the parliament, be admitted to the king.

"That no person that hath been in arms against the parliament, &c. or of whom there is just cause of suspicion, be admitted into any fort or tower in the Isle of Wight.

"That no person of any foreign nation be admitted to come into the same isle, without leave of the parliament.

"If the kingdom of Scotland send any to treat with his majesty, they shall have a pass from both houses, and be admitted.

"That his majesty pass his royal word, not to go out of the island during the treaty, or twenty-eight days after, without the advice of both houses of parliament."

The defeat "The next day, advice was brought of duke Hamilton's
of the Scots defeat. The independents thence hoped, they should hinder
puts no stop the conclusion of the treaty", and the presbyterians, that
to the treaty. the king would grant every thing, since he had lost the assistance
Aug. 23. he depended upon, and was without any resource.
Rushworth, Thus, this event, though of the greatest importance, caused
VI. p. 1237. no alteration in the disposition of the parties to treat. A
Clarendon, few days after they received also news of the taking of Colchester.
III. p. 141.

The

"Cromwell writ to his friends, That it would be a perpetual ignominy to the parliament, if they should recede from their former vote of, *No further address*

to the king; and conjured them to continue firm in that resolution. Clarendon, Tom. 3. p. 141.

The king having sent a list of the persons he desired to have about him, the parliament excepted against three, namely, Ashburnham, Legg, and Dowcet, who were then in custody.

CHAR. I.
1648.
Sundry delays.
Aug. 29, 31.
Rushworth;
VII. p. 1241,
1242, 1248,
1249.
p. 1261,
1266.

It was not only upon this point, but several others, where difficulties occurred, that they were forced to send expresses to the king. It suffices to say, that the parliament's commissioners departed not from London for Newport, till the 13th of September, and the conferences began not till the 18th. It was agreed, they should continue forty days only.

Whilst preparations were making for the treaty, the prince of Wales, who lay in the Downs with his fleet, sent a letter to the house of peers, wherein he took notice of the proposals made as to a personal treaty, and farther expressed his desire,

“ 1. That the treaty should be in such place and manner, as might consist with the honour, freedom, and safety of his majesty his father; so that the agreement might not be blemished with any face of restraint. 2. That the treaty might be between the king, and his two kingdoms of England and Scotland. 3. That during the treaty, there should be a general cessation of arms. 4. That a moderate subsistence, during the treaty, might be agreed upon, for all armies and forces then on foot, and particularly the Scots army in England. 5. That a course might be taken to content him, and his ships in the Downs, with money and provision.”

Letter from
the prince of
Wales to the
lords,
Whitelock,
Rushworth,
VII. p. 1220.

It does not appear, the lords took any notice of this letter, and the rather, as the prince made no mention, that it should be communicated to the commons.

The same day the lords received the letter, a petition was presented to both houses from the common-council of London, desiring,

Petition
from the
common-
council.
Ib. d.

“ 1. That the king's majesty might be free from restraint,
“ 2. Invited to a treaty.
“ 3. That all acts of hostility by sea and land, might, by command of king and parliament, cease.
“ 4. That the government of the church might be settled according to the covenant.
“ 5. That distressed Ireland might be relieved.
“ 6. The people of England, by disbanding all armies, eased; the liberty of the subjects restored; the laws of the land established.
“ 7. The members of both houses enjoined to attend the house for the service of the kingdom.

CHAR. I. "8. That the self-denying ordinance might be effectually
1648. "observed. And

"9. Speedy consideration had of the condition of such
"merchants, whose ships and goods were stayed by those
"with the prince; and that some expedient might be thought
"of, for discharge of all ships, that trade be not destroyed."

Another
from the
reduced
officers.
Ibid.

Answer to
the city.
p. 1222.

The reformed officers presented the same day a petition
of the like import; praying moreover, that all officers and
soldiers (without exception) might be paid their arrears.

The commons returned in answer to the common-council
of London, that it was their intention to treat with the
king, that they had acquainted his majesty with it, and that
there was no room to question but that the king was in the
same disposition. Then they communicated to the council
the votes that were passed in the house on that occasion.

The inde-
pendents be-
gin to stir.

All this passed before the defeat of the Scotch army. But
after the news of that great event, and the taking of Col-
chester, the independents in and about London, who had
been quiet since the removal of the army and before any de-
cision, began to hold up their heads. The 11th of Sep-
tember, two days before the departure of the commissioners
for the Isle of Wight, they presented a petition to the par-
liament, subscribed by several thousands, openly complaining
of the commons proceedings, which, they said, flowed from
the corruption of most of the members. They also gave
them the reasons why they first assisted them in this war
with their persons and purses, and let them know, they ex-
pected other ways from them than a treaty with the king,
and particularly,

They present
a petition.
Sept. 11.
Rushworth,
VII. p. 1257.
Whitelock,
335.
Ludlow.

"1. That they would make good the supremacy of the
"people from all pretences of negative voices either in the
"king or lords.

"2. That they would have made laws for election of
"representatives yearly, and of course, without writ or sum-
"mons.

"3. That their time of sitting exceed not forty or fifty
"days at the most, and to have fixed an expressed time for
"the ending of this present parliament.

"4. That they would have exempted matters of religion
"and God's worship from the compulsive or restrictive
"power of any authority.

"5. That none be forced or pressed to serve in war.

"6. That they would have made both kings, queens,
"princes, dukes, earls, lords, and all persons, alike liable
"to every law of the land.

"7.

“ 7. That all commoners be freed from the jurisdiction CHAR. I.
1648.
“ of the lords in all cases; and to have taken care, that all
“ trials be only of twelve sworn men; and no conviction
“ but upon two or more sufficient known witnesses. }

“ 8. That none be examined against themselves, nor be
“ punished for doing of that, against which no law hath
“ been provided.

“ 9. That the proceedings in law be abbreviated, miti-
“ gated, and made certain, the charge thereof in all parti-
“ culars.

“ 10. That all trade and merchandizing be made free from
“ all monopolizing and engrossing, by companies or other-
“ wise.

“ 11. That the excise and all kind of taxes, except sub-
“ sidies, be taken off.

“ 12. That you would have laid open all late inclosures
“ of fens, and other commons, or have enclosed them only
“ or chiefly to the benefit of the poor.

“ 13. That they would have considered the many thou-
“ sands that are ruined by perpetual imprisonment for debt,
“ and provided to their enlargement.

“ 14. Have ordered some effectual course to keep people
“ from begging and beggary, in so fruitful a nation, as thro’
“ God’s blessing this is.

“ 15. That they would have proportioned punishments
“ more equal to offences, that so mens lives and estates
“ might not be forfeited upon trivial and slight occasions.

“ 16. Have removed the tedious burthen of tithes, satis-
“ fying all impropiators, and providing a more equal way
“ of maintenance for our poor ministers.

“ 17. Have raised a stock of money out of confiscated
“ estates, for payment of those who contributed voluntarily
“ above their abilities, before those that disbursed out of
“ their superfluities.

“ 18. Bound themselves and all future parliaments from
“ abolishing propriety, levelling mens estates, or making all
“ things common.

“ 19. That they would have declared, what the duty or
“ business of the kingly office is, and what not; and as-
“ certain the revenue past increase or diminution; that so
“ there might never be more quarrels about the same.

“ 20. That they would have rectified the election of
“ public officers for the city of London, of every particular
“ company therein; restoring the commonalty thereof to
“ their just rights, most unjustly withheld from them, to

CHAR. I. "the producing and maintaining corrupt interest, opposite
1648. "to common freedom, and exceedingly prejudicial to the
"trade and manufactures of this nation.

"21. That they would have made full and ample reparations to all persons that had been oppressed, by sentences in high-commission, star-chamber, and council-board; of by any kind of monopolizers or projectors, and that out of the estates of those that were authors, actors, or promoters of so intolerable mischiefs, and that without much attendance.

"22. That they would have abolished all committees, and have conveyed all businesses into the true method of the usual trials of the commonwealth.

"23. That they would not have followed the example of former tyrannous and superstitious parliaments, in making orders, ordinances, or laws, or in appointing punishments concerning opinions, or things supernatural, styling some blasphemies, others heresies.

"24. That they would have declared what the business of the lords is, and ascertain their condition, not derogating from the liberties of other men; that so there might be an end of striving about the same.

"25. That they would have done justice upon the capital authors and promoters of the former or late wars.

"26. That they would have provided constant pay for the army, and given rules to all judges, and all other public officers throughout the land, for their indemnity; and for the saving harmless all that have any ways assisted them.

"27. That they would have laid to heart the abundance of innocent blood that hath been spilt, and the infinite spoil and havock that hath been made of peaceable, harmless people, by express commission from the king; and seriously to have considered, whether the justice of God be likely to be satisfied, or is his yet continuing wrath appeased by an act of oblivion."

Tho' the petitioners did not call themselves independents, the principles of that party were but too visible in these articles to doubt from what quarter they came.

The same day the masters and commanders of ships presented the like petition, complaining of the tyranny of the parliament.

Another
from masters
of
ships.
Rushworth,
VII. p. 1258.

The

The parliament thought not proper to answer these petitions ^{CHAR. I.} ^{1648.}, though two days after, the first presented another to desire an answer to every part of their petition. It was no proper juncture to provoke the independents, by such an answer as this petition deserved.

These petitions are not answered, p. 1261. Whitelock.

Before I enter upon the particulars of the treaty at Newport, it is absolutely necessary to relate what passed in the North of England and in Scotland.

Monroe who was leading from Scotland three or four thousand men ^{*} to duke Hamilton, had entered a good way into England, when the Scotch army was vanquished and dispersed. After the victory, Cromwell, without losing time in pursuing the rest of the army which was not in condition to do any mischief, left Lambert with some troops to finish their destruction, and immediately marched in quest of Monroe. The English that were with this Scotch general used their utmost endeavours to persuade him to give Cromwell battle: but it was not possible to prevail with him. He chose rather to retire northward, and always kept at so great distance, that there was no overtaking him. Nevertheless Cromwell continued his march, and hearing that Lambert had intirely destroyed the Scotch army, sent him orders to march to Carlisle, where Musgrave still continued with some troops, and after clearing those parts, to come and join him in order to enter Scotland together. When Cromwell came near Berwick, he writ to the committee of estates to require them to call home Monroe, and deliver Berwick and Carlisle, otherwise they were to expect a war. A few days after he pursued his march towards Scotland, having left some regiments to block up Berwick.

Cromwell marches against Monroe. Rushworth, VII. p. 1193, 1250, 1255, 1259, &c. Whitelock.

Rushworth, VII. p. 1256. Whitelock.

Duke Hamilton's defeat and Cromwell's threats intirely changed the face of affairs in Scotland. The marquis of Argyle, who had not been able to prevent the raising of an army, and had been forced to submit to the opposite party, became superior again, and was supported by all who were against the war. The committee of estates daily lost their authority, and were seconded only by Monroe, who was at length returned into Scotland. So, the marquis of Argyle, being assured of the approbation of most of the people, levied three or four thousand men to oppose Monroe, whom

Alteration in Scotland. Argyle raises forces against Monroe. Rushworth, VII. p. 1266, 1264.

I i 3

the

[¶] The house returned answer to the independents petition to this effect: "That the house gave them thanks for their great pains and care of the public good of the kingdom, and would speedily take their desires

"into consideration." Rushworth, Tom. VII. p. 1268.

^{*} He had, in the beginning of September, above seven thousand men, English, Scots, and Irish, under his command. Idem, p. 1250.

CHAR. I. the earl of Lanerick had joined, with some new-raised troops. 1648.

They had secured Sterling-bridge, which hindered the marquis of Argyle from making any progress, though his forces had been more numerous. But Cromwell broke all their measures by not staying at Berwick, but marching directly to Edinburgh. He thereby forced the committee of estates to fly from thence and disperse, for fear of being inclosed between the English and the marquis of Argyle's forces. Then the earl of Lanerick and Monroe, being unable to continue the war, came to an agreement upon the following terms:

p. 1273.
Cromwell
marches to
Edinburgh,
Septem. 23.
p. 1282.
The com-
mittee of
the parlia-
ment fol-
lows him.
Articles be-
tween the
earl of Ar-
gyle and
Monroe.
Id. p. 1288.

- " 1. That both the armies should be disbanded.
- " 2. That a parliament should be called to sit before the 20th of January.
- " 3. That the settling of religion be referred to the determination of the general-assembly, and all civil questions to the determination of parliament.
- " 4. That a new committee of estates be appointed, to consist only of such members as protested in parliament against the late engagement: and in case any of the forces under Monroe should continue in arms, that then the said committee should raise forces to suppress the same.
- " 5. That none who had been accessory to the late engagement, should be challenged to take away their lives and estates, &c. provided they did declare under their hand-writing, to the lord-chancellor, or president of the committee of estates, that they accepted of, and submitted to, the present engagement.
- " 6. That all persons taken in war, since the second of August, be released."

Cromwell is
received into
Edinburgh;
returns into
England;
leaves Lam-
bert in
Scotland.

The face of affairs being thus changed, and the king's party dispersed, Cromwell repaired to Edinburgh, where he was received with great respect. He obtained the restitution of Berwick and Carlisle, and having concerted proper measures with the marquis of Argyle, returned triumphantly into England. He left Lambert, however, in Scotland, with three or four regiments, at the request of the Scots, who believed they should want them, to awe those who might desire to raise new commotions.

Conferences
for peace at
Newport,
Septem. 18.
Id. p. 1263,
&c.

Whilst Cromwell was in quest of Monroe in Scotland, and three days before general Fairfax came to St. Albans, the conferences for peace began at Newport. Though

Walker's
Collect.
Heath.

They were held in Sir William VII. p. 1259. — The commis-
Hodges's house. Rushworth. Tom. sioners were five lords, viz. the earls
of

the two houses had desisted from the condition, that the king should sign the three bills before the treaty, they had not relinquished the thing itself. The very first day, the commissioners presented to the king, the draughts of the three bills. By the first, the presbyterian-government was established for ever in the church of England, episcopacy abolished, with the whole hierarchy, and the sale of bishops lands appointed. By the second, the king left the power of the militia for thirty years in the hands of both houses. By the third, all the king's proclamations and declarations against the parliament, or their adherents, were recalled.

The last of these bills began with these words, '*Whereas the parliament have been necessitated to make and prosecute a war in their just and lawful defence, &c.*' The king scrupled not to agree to the substance of the bill, but objected against the preamble, which charged him indirectly with having made war upon the parliament, and desired it might be omitted, to which the commissioners would never consent, because they were, by their instructions, not to depart from a tittle of what was contained in the three bills. This dispute held seven days, and it was the 25th of September, before the king consented at last to pass the bill, with the preamble. But it was on condition, that nothing should be binding, unless the whole were agreed on, and the treaty signed. This article being thus dispatched, they proceeded to the rest, on which were great debates, and particularly concerning religion. As the king saw the commissioners would not, or could not yield any thing, he hoped to shorten the negotiation, by showing the two houses, how far he could comply with regard to the most important articles. He sent therefore a message to explain his intentions, and make them the following offers.

Concerning religion. "His majesty will consent, that the calling and sitting of the assembly of divines at Westminster be confirmed for three years by act of parliament, and confirms for three years the directory, and the form of church-government, to be used for the churches of England and Ireland, and dominion of Wales; provided that his majesty, and those of his judgment, or any other, who cannot in conscience submit thereunto, be not in the mean time obliged to comply with the same; and that a

CHAR. I.
1648.

The three bills are presented to the king.

Dispute about the preamble of one of the three bills. Rushworth, VII. p. 1270, 1275. Clarendon, III. p. 163, &c.

The king yields.

A message from the king to both houses, with his offers. Rushworth, VII. p. 1281.

of Pembroke, Salisbury, Middlesex, Northumberland, and the lord Say; and ten commoners, viz. Denzil Holles, lord Wenman, Mr. Pierrepont, Sir

Henry Vane, jun. Sir Harbottle Grimstone, Mr. Brown, Mr. Crew, recorder Glyn, Sir John Potts, and Mr. Bulkley. Whitelock, p. 334.

CHAR. I. "free consultation and debate, be had with the assembly of
1648. "divines at Westminster in the mean time, twenty of his

"majesty's nomination being added to them, whereby it
"may be determined by his majesty, and his two houses of
"parliament, how the said church-government, and form
"of public worship, after the said time, and how religion
"may be settled, and the articles determined, and care ta-
"ken for the ease of tender consciences."

Concerning the bishops lands and revenue. "His ma-
"jesty will consent to an act or acts of parliament, where-
"by legal estates for lives, or for years, not exceeding nine-
"ty-nine, shall be made for those lands, towards the satis-
"faction of the purchasers, and to others to whom they are
"engaged, whereby they may receive satisfaction; provided
"that the propriety and inheritance of those lands, may
"still remain to the church, and the rest that shall be re-
"served to be for their maintenance.

"3. His majesty will give his royal assent for the better
"observation of the lord's-day, for suppressing of innova-
"tions in churches and chapels, in and about the worship
"of God, and for the better advancing of the preaching of
"God's holy word in all parts of this kingdom; and to an
"act against enjoying pluralities of benefices by spiritual
"persons, and non-residency; for regulating and reform-
"ing both universities, and the colleges of Westminster,
"Winchester, and Eaton; for the better discovery, and
"speedy conviction of popish recusants, for the education
"of the children of papists, by protestants, in the protestant
"religion, for levying penalties against papists: to an act
"to prevent the practices of papists against the state, and
"for putting the laws in execution, and for a stricter course
"to prevent hearing, and saying of mass.

"4. As to the covenant, his majesty is not yet therein
"satisfied, that he can sign or swear it, or consent to im-
"pose it on the consciences of others; nor doth conceive it
"proper, or useful, at this time, to be insisted on."

"5. Touching the militia, his majesty will consent to an
"act of parliament, to be in the parliament's hands for ten
"years.

"6. Touching Ireland, after advice with his two houses,
"he will leave it to their determination, and give his con-
"sent accordingly.

"7. Touching

² This was to avoid incensing the independents, who were intirely against sub-
mitting to the covenant. Regin.

“ 7. Touching public debts, his majesty will give his CHAR. I.
“ consent to such an act, for raising of moneys by general 1648.
“ and equal taxations. }

“ 8. He proposeth, that he may have liberty forthwith
“ to come to Westminster, and be restored to a condition
“ of freedom and safety, a thing which he shall never deny
“ to any of his subjects, and to the possession of his lands
“ and revenues; and that an act of oblivion and indemnity
“ may pass, to extend to all persons, for all matters relating
“ to the late differences, which being agreed by his two
“ houses of parliament, his majesty will be ready to make
“ these his concessions binding, by giving them the force of
“ laws by his royal assent.”

If these offers concerning religion are considered, with Remark on these offers.
respect to the king's private opinion, they may be said to be
great condescensions, perhaps greater than his conscience
allowed, since it was his real belief, there was no true
church without bishops. But if these offers are considered,
with regard to the presbyterians and independents, of whom
the parliament consisted, they will be found to be by no
means satisfactory. They were only a sort of interim,
which tended to make them lose the present opportunity to
abolish episcopacy intirely.

I cannot forbear making another remark on this occasion. Another re-
The king artfully endeavoured, so to order it that his own mark.
propositions should be treated upon, which the parliament
had ever refused, so apprehensive were they of the usual am-
biguities and restrictions in the king's papers, and of which
there is even here a fresh instance, in the first article con-
cerning religion. But he was disappointed now, as well as
before. The parliament, without taking notice of his offers ^b, The offers
are rejected.
Rushworth,
VII. p. 1282.
p. 1286,
1287.
Whitelock.
ordered the commissioners to proceed solely according to
their instructions.

Whereupon the king delivered a paper to the commis-
sioners, containing the reasons why he could not consent to
the abolition of episcopacy, which, he said, he conceived
to be of apostolical institution. That as to the sale of
church-lands, he affirmed it to be real sacrilege, besides that
at his coronation, he had sworn to maintain the rights of the
clergy. All these reasons, with many more that might have
been added, signified nothing to the commissioners, who had
no

^a More than this (says Whitelock) could not be obtained of the king, though most earnestly begged by some of the commissioners (great persons) with tears, and on their knees; parti-

cularly as to the proposition touching religion. Whitelock, p. 340.

^b They voted them unsatisfactory. See Rushworth, Tom. VII. p. 1232. Whitelock, p. 340.

CHAR. I. no power to relax on any point. All they could do, was to
 1648. fend them to the parliament, and expect their orders. But,
 this delayed the conclusion of the treaty, and consumed the
 time which the king and parliament ought equally to have
 improved.

The king
 consents to
 the article
 about the
 militia.

Rushworth,
 VII. p. 1291.
 Whitelock,
 p. 342.

Some days after, the king being desirous to gain the good-
 will of both-houses, and some concession in favour of epif-
 copacy, which was the principal, and, as I may say, the
 only point that hindered the conclusion of the treaty, declar-
 ed to the commissioners, “ that he consented for the settling
 “ the militia by sea and land, in the parliament’s hands for
 “ twenty years, and for confirming for three years by act
 “ of parliament, the form of church-government, and di-
 “ rectory for worship presented to him. But he added, that
 “ he was not satisfied in his conscience, or could be content
 “ to the utter abolishing of episcopacy; the substance where-
 “ of he conceived to consist in the power of ordination and
 “ jurisdiction, as they were exercised by the apostles them-
 “ selves and others, by authority derived from them, supe-
 “ rior to presbyters and deacons in the primitive times. His
 “ resolution being to comply with his two houses, for the
 “ alteration and regulating of his present hierarchy and go-
 “ vernment, so as episcopacy reduced to the primitive usage,
 “ might be settled and continued in the church of England,
 “ and if his two houses should so advise, his majesty would
 “ be content to lessen the extent, and multiply the number
 “ of the dioceses.

“ As to the exception that his majesty had not expressed
 “ his consent for settling of bishops lands upon trustees, and
 “ for the sale of those lands; it was true he had not, to
 “ alienate the inheritance of those lands, and herein he be-
 “ lieved he had the concurrent opinions of many divines,
 “ that in other points differed much among themselves: but
 “ his former answer containing a large offer of satisfaction
 “ to all those that had purchased or disbursed monies upon
 “ those lands, he hoped that answer would be satisfactory to
 “ his two houses.

“ For the calling and sitting of the assembly of divines,
 “ his majesty would assent as was desired.

“ That his majesty would confirm the public use of the
 “ directory in all churches and chapels, as was desired in
 “ the proposition, and would consent to the repeal of so
 “ much of all statutes, as only concerned the book of
 “ common-prayer, and also the taking the same away out
 “ of all churches and chapels, provided that the use thereof
 “ might

“ might be continued in his majesty’s chapel for himself and CHAR. I.
 “ his houshold: and that the same should be confirmed by 1648.
 “ act of parliament for three years, provided only that a
 “ consultation in the mean time be had with the assembly
 “ of divines in such a manner, and for the purposes as were
 “ in his former answer expressed.

“ Touching the articles of religion, his majesty professed,
 “ he had not had time since they were delivered unto him,
 “ to look into them with that deliberation which was re-
 “ quisite, before he bound himself up and his subjects in
 “ matter of faith and doctrine; and therefore desired, that
 “ part of the proposition might be respited by his two
 “ houses. But he would consent to an act for better ob-
 “ servation of the lord’s-day; as also to prevent the saying
 “ of mass.

“ Lastly, concerning the covenant, and the ordinance
 “ concerning the same, his majesty’s answer was, that he
 “ not being satisfied to take it or impose it on others, he
 “ conceived his two houses would not insist upon it at that
 “ time, and the rather, because the ends thereof would be
 “ obtained by the agreement if happily concluded.”

Some days after the two houses received advice from their Rushworth,
 commissioners, that the king had fully consented to the pro- VII. p. 1293.
 position concerning Ireland.

By a letter which came the 17th of October, they heard,
 the king had agreed to the propositions concerning the pub-
 lic debts, and for taking away all honours and titles con-
 ferred since the 20th of May 1642.

By another of the 18th, that concerning delinquents, his
 majesty offered,

“ That all persons who had any hand in the plotting, His ma-
 “ designing, or assisting the rebellion in Ireland, should jesty’s pro-
 “ expect no pardon, as was expressed in the first branch of posals with
 “ the proposition. As to all the rest of the propositions his regard to
 “ majesty could not consent thereunto, as was proposed, delinquents.
 “ otherwise than in the following manner; viz. As for all Id. p. 1299.
 “ other persons comprised in the said first branch, his majesty, Whitelock.
 “ for satisfaction of his two houses, would give way, that
 “ they might moderately compound for their estates, and
 “ desired they might be admitted to the same; and for re-
 “ moving of distrust and interruptions of the public settle-
 “ ments, his majesty would consent as followeth: That
 “ such of them as the two houses of parliament would insist
 “ on, should not be admitted to his councils, and be re-
 “ strained from coming to court, at such distance as both
 “ houses

CHAR. I. 1648. "houses should think fit, and should not have any office
 "and employment in the common-wealth, without the
 "consent of both houses of parliament; or should absent
 "themselves out of the kingdom for some time, if both
 "houses of parliament should think fit. That all other
 "persons in that proposition should submit to a moderate
 "composition, and for the space of three years should not
 "sit, or serve as members, or assist in either house of par-
 "liament, without consent of both houses."

The confe-
 rences are
 prolonged a
 week.

Rushworth,
 VII. p. 1239.

New offers
 from the
 king touch-
 ing episco-
 pacy.
 Id. p. 1307.
 Whitelock.

The time fixed for the continuance of the treaty being almost expired, and nothing settled on the article of episcopacy, which was properly the only point on which difficulties occurred, the two houses found an expedient to prolong the negotiation a week, by ordering that the Sundays and Fast-days should not be accounted part of the forty days allowed for the conferences.

The 21st of October the king sent a fresh message to both houses concerning episcopacy. Cromwell was on the road to join the army, and it was to be feared, if the treaty was not concluded before his arrival, he would raise invincible obstacles to it. The king sufficiently knew him, to believe there was no good to be expected from him. He believed therefore, that to hasten the conclusion of the treaty, to which the affair of episcopacy was the grand obstacle, he ought to make some further concessions on that point. Wherefore he acquainted the two houses, by a message:

"1. That he consented to the abolishing of archbishops, "chancellors, deans, and chapters, &c. and the whole hie-
 "rarchy, except bishops.

"2. That for three years no other but presbyterian-
 "government should be used; and the exercise of episco-
 "pal government should be wholly suspended during that
 "time.

"Whereas episcopal jurisdiction, if no other had been
 "agreed upon in the mean time, might have risen up after
 "the three years, he now expressed his consent, that none
 "should be exercised after that time other than ordination,
 "which was restrained to the counsel and assistance of pres-
 "byters, but such, and in such manner, as should be agreed
 "by him and his two houses; whereby until such agree-
 "ment, or if it were not otherwise agreed, episcopal juris-
 "diction was wholly laid aside."

His majesty also that day consented to the followings pro-
 positions:

"To

"To that for nomination of the great officers of the CHAR.L. kingdom, to be by both houses during the term of ten 1648. years.

"To those concerning the city of London, and the great seal. The king consents to the nomination of the great officers, and to the suppression of the court of wards, &c. He refuses to give up episcopacy.

"To that concerning the court of Wards, &c. a recompence being assured to his majesty of one hundred thousand pounds *per annum* to him, his heirs and successors, in lieu of the court of wards." Rushworth, VII.p.1302, 1303.

The commissioners acquainting the king that his answer concerning episcopacy would not be satisfactory to the two houses, and earnestly pressing him to give them a fuller, he told them in writing, he could not absolutely relinquish episcopacy. He repeated his offers on that head, adding only, that if in the space of three years he was convinced, that the function of bishops was not agreeable to the word of God, or that Christ commanded any other government, he would most cheerfully embrace it: but till he was so convinced, he believed himself bound in conscience to maintain episcopacy.

The commons spent four or five days in debates upon the king's offers and answers, and voted them unsatisfactory, as to the point of episcopacy, the lords concurring with them. The parliament is not satisfied with the king's offers.

The same was voted concerning the king's answer about taking the covenant and abolishing popery, for that he desired to have it tolerated in the queen's chapel and family. The houses were likewise dissatisfied with the answers about alienating bishop lands, and sale of deans and chapters, and concerning delinquents. Thus, the peace seemed more remote than ever, especially, as the lords concurred with the commons in the alienation of church-lands. Rushworth, VII.p.1307, 1308. Whitelock.

As the time limited for the conferences was about to expire, these resolutions were speedily sent to the commissioners with orders to demand the king's final and positive answer, and by a special message the commons also desired of the king, that his majesty would be pleased to declare expressly against the Irish rebellion, and the cessation concluded with the rebels, and forbid the junction of the marquis of Ormond's forces with the Irish papists to make war upon the protestants. But as there remained only three days, which was not a sufficient time to receive the king's answer, the lords prevailed with the commons to prolong the treaty a fortnight, and the rather, as the king had desired to confer with Dr. Usher archbishop of Armagh, and the bishops The treaty prolonged fourteen days. P. 1315, 1316. Clarendon, of III. p. 171.

CHAR. I. Nay, as to those that were to be included in the pardon, the parliament pretended to inflict a pecuniary punishment on them, and had ranked them under several classes, according to which, some were to forfeit one half of their estates, others a third, others a fourth, and had assigned the money thence arising towards the payment of the public debts.

p. 1299.

Whitelock.

p. 347, 348.

The king, on the contrary, pretended, that all without exception should have the benefit of the act of oblivion. He consented only that some of those whom the parliament termed delinquents, that is, his faithful servants, should be liable to a moderate composition, a general expression, on which there would have been many disputes, had it come to be discussed. However, this article, which was considerable, was not yet settled, but it was not impossible to find expedients to satisfy the king and the parliament, if the difficulties concerning religion had not hindered the conclusion of the treaty, upon which I cannot forbear making two remarks.

Remarks on the difficulties with respect to religion.

The first is, that if the commons insisted so long upon the signing the three bills, it was because they knew how inflexible the king was in the point of episcopacy, and despaired of concluding a treaty with him, unless he previously granted this article, upon which they were no less inflexible than he, as plainly appeared in the conferences. This was the principal point, without which perhaps there would have been no war, and from which the presbyterians could not depart without losing the fruit of all their labours and successes against the king.

My second observation is, that the rigid episcopalians had room to see in these conferences, what prejudice their former excessive severity against presbyterianism now brought them, since it was not possible to find any other way to content the presbyterians than the abolition of episcopacy. The presbyterians, knowing by long experience the king's ill-intentions towards them, thought they could not trust to concessions extorted from him by necessity, and were not to be satisfied so long as the name of bishop subsisted. They were apprehensive, and perhaps very justly, that the function of bishops, though reduced almost to nothing by the king's offers, would be a foundation on which the king intended to raise the superstructure of the hierarchy, or a toothing, which showed that he meant not to leave the building in its present condition. The example of what had happened in Scotland farther confirmed their jealousies and fears. In that kingdom, all the episcopal functions had been abolished. The bishops

bishops had retained only the bare name, with some tempo-
 CHAR. I.
 ral privileges, entirely destitute of authority or jurisdiction. 1648.
 But even this had sufficed to give king James occasion to re-
 store them to all the rights they had enjoyed before the re-
 formation. Charles I. might intend to do the same thing in
 England; and the presbyterians but too well remembered,
 that, at the very time he granted the Scots the extirpation of
 episcopacy, he wrote to the Scotch bishops that it was only
 through compulsion, and till he should have opportunity to
 restore the church to her former splendor. Without this
 prejudice of the presbyterians, without this want of confi-
 dence, of which the king may be said to be himself the cause,
 it is certain his offers with regard to episcopacy might have
 served for foundation to a peace, as the parliament acknow-
 ledged when it was too late. Mean while, the two houses,
 not despairing entirely to bring the king to their terms, con-
 tinued the treaty a week longer.

Whilst both houses were employed in the affairs of the
 treaty, the officers of the army, whose head-quarters were
 then at Windsor, met in a council of war, to endeavour to
 obstruct the peace. They knew what had passed at New-
 port, and that the conclusion of the treaty depended but on
 a single point, which they did not question, the king would
 at last grant. Wherefore they resolved to hinder the con-
 clusion by force. Cromwell was not yet come to the army,
 but remained about Pontfract, to order the siege of that
 place, which had been surpris'd by the king's party, and
 the garrison whereof kept the whole country in awe, and
 committed great violences. Colonel Rainsborough had been
 detached from the army, to command at the siege; but had
 been surpris'd in a neighbouring town by a party of the gar-
 rison, who had killed him, not having been able to carry
 him off *. Cromwell had ever loved and esteem'd him,
 and therefore earnestly wish'd to revenge his death, besides
 that he was importuned by the committee of Yorkshire, to
 employ the forces he was leading from Scotland, for the re-
 duction of that place. This had detain'd him some time in
 those parts. But, as he wanted not all his troops for the

Another
 prolongation
 of the treaty.
 Rushworth, I
 VII. p. 1330.

The army
 prepares to
 obstruct the
 peace.

P. 1338.
 Ludlow.

Cromwell
 stays before
 Pontfract.
 Rushworth,
 VII. p. 1141,
 1314, 1315.
 Whitelock,
 Clarendon,
 III. p. 141,
 &c.

He sends
 siege, part of his
 forces to the
 general.

* Forty horse sallied out of Pont-
 fract towards Doncaster, where they
 killed the centinel; then three of them
 rode on to Doncaster, and asked for
 colonel Rainsborough's quarters, and
 coming to his chamber, there called
 to him, and said, They had a letter
 from lieutenant-general Cromwell. The

colonel rose and opened his door to
 them, (expecting such a letter that
 morning) and presently the three Pont-
 fract soldiers fell upon him, shot him
 in the neck, another shot him through
 the heart, with other wounds, and left
 him dead, escaping without any alarm
 given. Whitelock, p. 346.

K-k

CHAR. I. siege, because he had there already a detachment of the army, he sent part of his forces before, to join general Fairfax.

1648. This reinforcement being arrived, the army believed themselves able to execute what had been resolved. To that purpose, the 18th of November, which would have been the last day of the Newport conferences, if the parliament had not continued them a week longer, colonel Ewers, attended with some officers, presented to the commons from the army, a remonstrance, which plainly discovered the intentions of the independent party. The substance of the army's desires was to this effect :

Remonstrance of the army.
Nov. 20.
Rushworth,
VII. p. 1330.
Whitelock.

“ 1. That the king be brought to justice, as the capital cause of all the evils in the kingdom, and of so much blood being shed.

“ 2. That a timely and peremptory day be set for the prince of Wales, and duke of York, to come in and surrender themselves ; if not, that they be declared incapable of government, or any right in England, and stand exiled for ever as traitors ; and if they render themselves by the time, then the prince to be proceeded against or remitted, as he shall give satisfaction, and the duke the like, and that the revenue of the crown be sequestered. Also the 10,000 l. to be added, be disposed to public use.

“ 3. That public justice may be done upon some capital causers or actors in the war.

“ 4. That the rest, upon submission, may have mercy for their lives.

“ 5. That the soldiers have their arrears.

“ 6. That public debts be paid, chiefly to those who voluntarily laid out their estates, and ventured their lives, and this to be done by fines of delinquents, and the estates of those excluded from pardon.

“ 7. After public justice thus done, then that a reasonable certain period be put to this parliament.

“ 8. That there be a certain succession of future parliaments, annual or biennial, with secure provision, (1.) For the certainty of meeting. (2.) For equal distribution of elections, to render the commons house an equal representative. (3.) For certainty of the people's meeting, and that none who have engaged in the late war, or shall engage against the right of parliament and kingdom, or adhere to the enemies thereof, be capable of electing, or being elected, during some years, nor those who shall not join with them, but oppose this settlement.

“ (4.)

“(4.) For clearing the power of this representative, it be declared to have the supreme power, as to the governing and preservation of the whole, as to the people of England, and to altering, repealing, or abolishing of laws, the making war or peace, the highest or final judgment in all civil things; and all ministers or officers of state shall be accountable to them, bound and concluded thereby; provided, first, They may not censure or question any man after the end of this parliament, for any thing said or done in reference to the late war. Secondly, They may not render up, give or take away any right, liberty, or safety, contained in this settlement or agreement: That there be a liberty of entering dissents in the said representative; in case of corruption in these highest trusts, the people may know who are free, and who guilty, that so they may not trust such for the future, but with further penalty to any for their future judgment there.

“9. That no king be hereafter admitted, but upon election of, and as upon trust from the people, by such their representative, not without first disclaiming and disavowing all pretence to a negative voice against the determination of the said representative, or commons in parliament, and that to be done in such form more clear than heretofore in the coronation-oath.

“These matters of a general settlement are propounded to be done by this parliament, and to be further established by a general contract or agreement of the people, with subscriptions thereunto; also that it be provided, that none be capable of benefit by this agreement, who shall not consent and subscribe thereunto, nor any king be admitted to the crown, or other person to any other office or place of public trust, without express accord and subscription to the same.”

The parliament returned no answer to this remonstrance, as well as to some others of the like nature, presented to them during the treaty. I have already mentioned that of the 11th of September, from thousands of the inhabitants and about London, and that of the masters and commanders of ships. The 30th of the same month they received another, in the name of many thousands of the county of Oxon. The 10th of October, a petition was presented to the commons, signed by the Newcastle-men, desiring that speedy justice might be executed upon the greatest delinquents. The same day, the inhabitants of Yorkshire petitioned for the same thing, saying, ‘*His majesty had confessed himself, and*

CHAR. I.
1648.

The parliament returns no answer. Several petitions demanding justice upon the king. Rushworth, VII. p. 1279, 1290.

CHAR. I. *'his party, to be guilty of the blood that had been shed.'* The
 1648. 30th of the same month, the officers of Ingoldsby's regiment, garrisoned at Oxford, presented a petition to the general, desiring, "That immediate care be taken, that justice
 p. 1311. Whitelock. "be done upon the principal invaders of their liberties, "namely, the king and his party, and sufficient caution "given to future kings, for preventing the enslaving the "people hereafter. Adding, that being apprehensive the "issue of the treaty now in hand, could neither be just nor "safe, they prayed his excellency to re-establish a general- "council of the army, to consider of some effectual remedy to this evil, either by representing the same to the "house of commons, as the petitioners of London, or by "some other way." On the other hand, whilst Cromwell
 Rushworth, VII.p.1288. was at Pontfract, every regiment of his army presented petitions to him, demanding justice upon the king; which were all sent to the general. Hence it appears, that the army's remonstrance was an effect of the plots laid by the independents, who, in several parts of the kingdom, infused these violent resolutions into the people and officers, to hinder the conclusion of a treaty which could not but ruin their party. Very likely, the presbyterians fully perceived the designs of the independents, and these petitions were but too apt to convince them of the same. But they hoped to amuse them till the treaty was ended, not doubting the king would at last consent to the abolition of episcopacy. As for the other articles, which were not yet settled, probably, they would have chosen rather to yield them to the king, than retard the conclusion of the treaty, which to them was so necessary. Affairs being in this situation, it was not proper still more to provoke the independents, by answers which would not have pleased them. On the other side, they could not think of agreeing with the king, without obtaining the abolition of episcopacy, not thinking themselves safe so long as the very name of bishop subsisted. In short, it was not proper to attempt a resistance of the army by force. In all appearance, their preparations would but have hastened the execution of the army's resolutions, whereas it was their interest to amuse them only for some days. All their hopes therefore were grounded upon the king's compliance, which they hardly questioned, considering the manifest danger to which his obstinacy would expose him. For it is not likely, he

The parliament tries to amuse the army.

^f October 18. Ireton's regiment presented also a petition to the general; which, as Whitelock observes, was the

beginning of the design against the king's person, p. 343.

he was ignorant of the petitions presented against him, or CHAR. I. was not soon informed of the army's remonstrance, since 1648. every one had free access to him.

Three days after the parliament had received the remonstrance, letters came from the commissioners at Newport, with his majesty's answer concerning the marquis of Ormond, and the bishops lands; namely, that he could not give any orders to the marquis before the treaty was signed, but then would do as both houses desired; and if the marquis refused to obey, would take such measures against him as should be satisfactory to the two houses. That as to the bishops lands, he persisted in his former offers. This answer afforded no great hopes of a speedy accommodation. However, as it was delivered the 16th of the month, two days before the presenting of the army's remonstrance, it was hoped the next news from Newport would be more satisfactory. But on the 25th the parliament was informed, by letters from the commissioners, that the king had positively refused to add any thing to his former answers ^g.

The king rejects the last proposition concerning Ireland. Nov. 21, 23. Rushworth, VII. p. 1332. — 1334.

This was not all. They were acquainted at the same time, that the general had required colonel Hammond to attend him at the head-quarters, and sent colonel Ewers to take the command of his majesty in the Isle of Wight, who kept the king under very strict custody. Thus the precautions taken by the parliament, to hinder the king from coming to treat in person at London, for fear he should meet with too many friends, were the cause that they could not be master of his person, when it would have been most necessary. Two days after, the commons received a letter from colonel Hammond, with the general's order to him to repair to the army, and resign his command to colonel Ewers. Whereupon, the commons voted, that colonel Hammond should be required to stay in the Isle of Wight, and the general be acquainted with this vote. But Hammond was now gone to the army, and had resigned the custody of the king to colonel Ewers. Notwithstanding all this, the parliament seems not to have despaired of agreeing with the king, since the commons deferred the consideration of the army's remonstrance, till the 1st of December, in order to be better able to answer it when they should know the king's final resolution. The same day, the general received petitions

Hammond is recalled to the army, and Ewers sent in his room. Nov. 25. Ibid.

Nov. 27.

Fruitless vote of the commons. Ibid.

Consideration of the remonstrance put off.

p. 1341. Whitecock. Petitions to the general.

K k 3

^g The king alone disputed upon the several articles, with the parliament's commissioners, none of his

attendants being permitted to speak. Warwick's Mem. p. 322.

CHAR. I. tions from the forces in the north, and in Wales, agreeable
1648. to the army's remonstrance.

Letter and
orders to the
general from
the com-
mons.
Rushworth,
VII. p. 1340.

After the general had thus made himself master of the king's person, without the privity of the two houses, it was not very likely he should be disposed to receive their orders. Nevertheless, the commons told him, in a letter from their speaker, That his orders to colonel Ewers were contrary to their resolutions, and colonel Hammond's instructions, and that it was the pleasure of the house, he should recal his orders, and suffer colonel Hammond to attend his charge in the Isle of Wight. But the general and council of war took no notice of this order.

In vain.

The king is
removed to
Hurst castle.
Nov. 30.
Cook.
Firebrace.
Herbert.

The next day, the king, by command of the general, was removed by lieutenant-colonel Cobbet to Hurst-castle in Hampshire, situated on a narrow piece of land, running into the sea, over-against the Isle of Wight, and the parliament was not informed of it till three days after ^b.

Mean while, the army was not idle, being resolved to run all hazards to prevent the conclusion of the treaty. The same day, November the 30th, they published a declaration or manifesto, wherein they clearly discovered their designs, and which was to this effect :

The army's
declaration.
Nov. 30.
Rushworth,
VII. p. 1341.
Whitelock.

“ That the army being full of sad apprehensions concerning the danger and evil of the treaty with the king, and of any accommodation with him, or restitution of him thereupon, they did, by a remonstrance, make their application thereby to the house of commons. That they took this course out of an earnest desire, that those matters of highest concernment to the public interest of the nation might be pursued and provided for, if possible, by those whose proper work and trust it was : but to their grief they found, that instead of any satisfaction, or reasonable answer thereunto, they were wholly rejected, without any consideration of them. For they were laid aside till the Monday following, by which time the treaty, as then supposed, would have been concluded ; but that failing, and two days more being added to the treaty, the consideration of their remonstrance in the day appointed was waved and laid aside ; the treaty in the mean while, going on in the former way and terms, and like to be concluded the very next day. The army therefore having received no answer to their former proposals, “ they

^b This castle was built by king Henry VIII. It is joined to the land by a narrow neck of sand, which, at

spring tides, and in stormy weather, is covered by the sea. The air is very moist and unhealthy.

“ they could not but remain confident, that the prevailing
 “ part of those to whom they did apply, had as it were their
 “ eyes wilfully shut, and ears stopt, against any thing of
 “ light or reason offered to them, so as not to discern the
 “ dangers wherewith the kingdom was threatened.

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“ The army then seeing nothing left, to which the par-
 “ liament's engaging and persisting in such ways, could ra-
 “ tionally be attributed, less than a treacherous or corrupt
 “ neglect of, and apostacy from, the public trust reposed in
 “ them, they thought fit to appeal to the common judg-
 “ ments of indifferent and uncorrupted men, and to the more
 “ righteous judgment of God above all.”

After justifying this extraordinary appeal in the best man-
 ner they could, they admonished such members as were up-
 right, and had a just sense of those things, to protest against
 the resolutions of the house, and withdraw, promising to
 look upon them as persons that had the chief trust of the
 kingdom remaining in them, and to adhere to them, and be
 guided by them, till the introducing of a more formal power,
 in a just representative, were speedily endeavoured. Then
 they declared, that they were ready to lay down their arms,
 if their remonstrance were answered; but that the little no-
 tice taken of their propositions, made them sensible there was
 nothing to be hoped. And therefore the case being so extra-
 ordinary, and the danger so pressing, they were drawing up
 with their army to London, there to follow providence, as
 God should clear their way.

The first of December, the general writ to the city, to
 inform them of the army's advance towards London, on ac-
 count of the parliament's contempt of their remonstrance :
 that they had no thought of plunder, or other wrong to the
 city, or so much as troubling the inhabitants with quarter-
 ing any soldiers; but that, for prevention of all violence, he
 desired forty thousand pounds might be provided by the next
 day¹. The house of commons agreed, that the city should
 send this sum to the army, and acquainted the general, that
 it was the house's pleasure he should not remove nearer
 London.

The gen-
 eral's letter
 to the city
 of London.
 Rushworth,
 VII. p. 1349.
 1350.

The second of this month, the house took the king's
 offers into consideration, but without coming to any con-
 clusion. Whilst they were debating, the general, with se-
 veral regiments, came and took up their quarters at White-

K k 4

hall,

The general
 comes to
 London.
 Ibid.
 Whitelocke.

¹ On the security of the arrears due to the army from the city. Whitelocke,
 p. 358.

CHAR. I. hall, St. James's, the Meuse, and other places in the skirts of the city, which he judged convenient for his designs.

Vote upon the removal of the king to Hurst castle.
 Rushworth, VII. p. 1351, 1352.
 Clarendon, III. p. 183.
 Whitelock.

The 3d, being Sunday, the parliament did not sit. But, on the 4th, the commons resumed the debate of the king's concessions, which was interrupted by the news of the king's removal to Hurst castle. Whereupon they voted immediately, that the carrying the king prisoner to Hurst castle, was without the advice and consent of the house. After that, they debated again the king's offers, and sat all the day and night, till five o'clock in the morning. At last, it was proposed, whether the question should be put, and carried by a hundred and forty, against an hundred and four. Then the main question being put, it was voted, that '*his majesty's concessions to the propositions of parliament upon the treaty, were sufficient grounds for settling the peace of the kingdom.*' But I cannot think it was unanimously, as the lord Clarendon affirms^k. What has been just seen seems to show rather, there were many members not content with this resolution.

Committee to confer with the general.
 Rushworth, VII. p. 1352.
 More regiments come to London.

Immediately after, the house appointed a committee to confer with the general, for the better procuring a good correspondence between the parliament and the army; and then adjourned to Wednesday. The same day, several other regiments came and quartered in the suburbs of London; and the general caused a proclamation to be made, requiring all delinquents, who had not perfected their compositions, to depart ten miles from London for a month, on pain of being proceeded against as prisoners of war.

The general becomes master of the old palace.
 Forty-one members of the commons put under custody.
 Rushworth, VII. p. 1353, 1355.
 Whitelock, p. 359.
 Clarendon, III. p. 183.
 Ludlow.

Wednesday, the 6th of December, the general sent two regiments to Westminster, and the city trained-bands were discharged, who had been set there some months since, for guards to the parliament. After the soldiers were drawn up in the court of requests, on the stairs, and in the lobby before the house, when the members offered to go in, colonel Pride, having a paper of names in his hand, seized upon one and forty, and sent them into the court of wards, where they were kept under guard. The house having notice thereof, sent their serjeant at arms to acquaint these members, that they should forthwith attend the service of the house. But the officer of the guard answered, he had order to secure them, which order he was to obey before any other command^l.

Not

^k The lord Clarendon says, the main question was so clearly voted, that the house was not divided. Tom. III. p. 183.

^l Many, says Whitelock, were glad of an honest pretence to be excused from appearing in the house, because of the business of the army, the debates

Not long after colonel Whaley, with other officers, presented to the house a paper intitled, ' *Proposals and desires of the army in vindication of their conduct,*' the substance whereof was to this effect: CHAR. I.
1648.

" 1. Whereas several members of your house ^{the army's} were in ^{proposals} the year 1647, impeached by yourselves for treason, or ^{presented to} for high crimes and misdemeanors, in relation to the trea- ^{the house of} sonable engagement in the city of London; the violence ^{commons.} then done upon the parliament, the levying of a new war, ^{Rushworth} and other evils, in maintainance and prosecution thereof; ^{VII. p. 1354.} and upon clear proofs against them, were by your cen- ^{Whitelock,} sure expelled the house, and disabled from farther trust therein, and upon new writs issued out, new members were chosen and returned in some of their rooms; and yet by the prevalence of their faction, when in the last summer's wars, divers faithful members were engaged abroad upon necessary public service, and others through malignant tumults and disturbances could not safely attend the house, the same persons were afterwards re-admitted to sit in the house, and vote as formerly, without any trial or satisfaction in the things whereof they were accused.

" 2. Whereas by the confederacy of major-general Brown, now sheriff of London, with the said impeached members and others, the Scots were invited and drawn in to invade this kingdom the last summer, insomuch as when upon their actual invasion the house proceeded to declare them enemies, and those that adhered to them, traitors; yet the said confederators, and other treacherous members, to the number of ninety and odd, as upon the division of the house appeared, did by their counsels and votes endeavour to hinder the house from declaring against their confederate invaders: we desire, that the said major-general Brown may be also secured and brought to judgment, and that the rest of the ninety and odd persons dissenting against the said vote, may be excluded the house.

" 3. Whereas in a continued series of your proceeding for many months together, we have seen the prevalence of the same treacherous, corrupt, and divided counsels, through factions and private interests, opposing or obstructing justice in all kinds, diverting your counsels from
" any

bates about which went extremely high. Whitelock, p. 356.

• Danzil Holles, Lionel Kopley, ma-

jor-general Maffey, &c. Rushworth, Tom. VII. p. 1354.

CHAR. I. "any thing of public good, hindering any proceedings to
 1648. "any such settlement, as would consist with security to the
 { "public interest, or put a real end to the troubles, bur-
 dens, or hazards of the kingdom, and precipitating into
 "treacherous and destructive compliances and conjunctions
 "with the acknowledged enemies thereof, as in the votes
 "of *no more addresses to the king, &c.* the justness and ne-
 "cessity whereof you had once so cleared to the world;
 "also in the votes for entertaining or seeking after all that
 "personal treaty: and lastly, in the votes declaring the
 "king's past concessions to be a ground for the house to
 "proceed upon for the settlement of the peace of the king-
 "dom, notwithstanding the visible insufficiency and defects
 "of them in things essentially concerning the public inter-
 "est and liberties of the kingdom, as those propounded in
 "our late remonstrance are, and in other matters both re-
 "ligious and civil. We therefore most earnestly desire,
 "that all such faithful members who are innocent in these
 "things, would immediately, by protestation and public
 "declaration, acquit themselves from any guilt of, or con-
 "currence in the several votes or councils here before par-
 "ticularly mentioned, as corrupt or destructive, that the
 "kingdom may know who they are that have kept their
 "trust, and distinguish themselves from the rest that have
 "thus falsified the same; and that all such as cannot or
 "shall not so acquit themselves particularly, may be imme-
 "diately excluded or suspended the house, and not re-ad-
 "mitted until they have given clear satisfaction therein,
 "to the judgment of those who now so acquit themselves,
 "and the grounds of such satisfaction be published to the
 "kingdom.

"4. Thus, such as by faithfulness have retained their
 "trust, being set in a condition to pursue and perform the
 "same, without such interruptions, diversions, and depra-
 "vations of counsels as formerly: we shall desire, and hope
 "you will speedily and vigorously proceed to take order for
 "the execution of justice, to set a short period to your own
 "power, to provide for a speedy succession of equal repre-
 "sentatives, according to our late remonstrance, wherein
 "differences in the kingdom may be ended, and we and
 "others may comfortably acquiesce; as for our parts, we
 "hereby engage and assure you we shall."

It would be needless to make any remarks and observa-
 tions upon this paper, the injustice and violence whereof are
 so very obvious. But it was necessary to inform the reader

of the contents for the following reason. There are histo- CHAR. I.
rians whose partiality has caused them either to omit, or but 1648.
just mention it; without relating the substance, for fear of
convincing their readers, that the presbyterians were not
concerned in what was afterwards transacted, and that the
independents were the true and sole authors thereof.

December the 7th, the commons as they were repairing A hundred
to their house, found the door within and without guarded members are
by soldiers, who hindered many from going in *. The lord excluded the
Clarendon says, near one hundred were denied entrance. house by the
This makes me think that ninety mentioned in the re- soldiers.
monstrance were of this number. So from this day, the Rushworth,
house of commons is to be considered as consisting entirely VII. p. 1355.
of independents. Very likely from that day, very few or Clarendon,
no presbyterian-members were admitted any more. III. p. 183.
How- The house
ever, the state of the house was once more changed by this wholly con-
new revolution. The presbyterians had been superior to sists of inde-
the beginning of the war, to the 6th of August 1647. The pendent.
independents had prevailed from that day, till about the end
of the year 1648, when the army was forced to remove from
London, after which the presbyterians were masters again.
At last, on the 6th and 7th of December this same year, the
independents entirely expelled the presbyterians, or at least
disabled them from supporting their party. This must be
carefully remembered, if we desire to have a clear idea of the
history.

The same day, December the 7th, Cromwell, who came Cromwell
to London the night before †, sat in the house, and received comes to
thanks for his great services. town.

Though the general had promised the city not to quarter Rushworth,
the soldiers upon the inhabitants, as this promise was only VII. p. 1355.
conditional, in case the sum demanded were paid, and as the The general
city had not furnished the money, he ordered two regiments seizes the
into the city, and on the morrow, a third; after which, he money in
took away twenty thousand pounds from Weavers-hall. Weavers-
hall.
suring the treasurer he should be reimbursed out of the assess- P. 1356,
ments of the city due to the army. 1358.

About the same time, was presented to the general, a Plan for the
plan, intituled, *A new representative, or, an agreement of the settling the
people, for settling the government* ‡. This plan was wholly government.
Dec. 11.
founded p. 1358.

* Upon pretence, that something was
to be that day debated concerning them,
and therefore they ought not to be
judges in their own cause. Rushworth,
Tom. VII. p. 1355.

† He lay in one of the king's rich

beds at Whitehall. Whitelock, p. III. p. 185.
362.

‡ One of the agitators, who was the
author of this paper, was shot to death
for it last year, by Cromwell's order.
Clarendon, Tom. III. p. 185.

CHAR. I. founded upon independent principles, and agreeable to the
 1648. army's remonstrance, except that it was more large on each
 article. This agreement was propounded as a rule for future
 government, and to be subscribed throughout the kingdom.
 But as this plan was not executed, though it was drawn
 with great pains by the council of war, and even seemed to
 be approved by the parliament, I do not think it necessary to
 insert it.

Protestation
 of the seclu-
 ded mem-
 bers voted
 scandalous.
 Ibid.
 Rushworth,
 VII.p.1363.

The secluded members having published a protestation
 against the violence put upon them, both houses declared
 the protestations to be false, scandalous, and seditious, and
 tending to destroy the fundamental government of the king-
 dom, and ordered, that all persons who had any hand in
 framing or publishing it, should be incapable to bear any
 office, or to sit as members of either house. They further
 ordained, that all absent members, upon their coming to the
 house, should disclaim their being concerned in, or giving
 consent to the contriving or publishing the protestation.

Order con-
 cerning the
 election of
 lord-mayor,
 &c.
 Dec. 18.
 Rushworth,
 VII.p.1365.

After that, both houses passed an ordinance, that no per-
 sons who had been delinquents, or assisted the king against
 the parliament in the first or second wars, or been aiding in
 bringing in the Scots army, or subscribed to the treasonable
 engagement in 1647, for a personal treaty, or abetted the
 late tumults within the cities of London and Westminster,
 or the counties of Essex, Kent, Middlesex, or Surry, should
 be elected, or give their voice for electing the lord-mayor,
 aldermen, common-council-men, or any other officers. But
 within a few days, a committee of the common-council ac-
 quainted the house, that the city was so generally concerned
 in the engagement for a personal treaty, that there would not
 be a sufficient number of persons to supply the necessary of-
 fices of the city, if that strictness in the late ordinance should
 stand.

Some of the
 members
 that were
 arrested are
 released.
 p. 1369.

The 20th of December, the general ordered fifteen or
 sixteen of the members secured by the army to be relea-
 sed, with liberty to resume their places in the house if they
 pleased.

Whitelock.

It contained rules for future elec-
 tions of representatives of the people.
 They to have the supreme authority,
 and this parliament to be dissolved in
 April next, and then a new one to
 sit. Divers for the election of the
 members, officers, and malignants, to
 be incapable of electing, or being e-
 lected; and generally of the power
 and equal distribution of the mem-

We
 bers, to be in all three hundred per-
 sons, &c. The frame of this agree-
 ment of the people was thought to be,
 for the most part, made by the commis-
 sary-general Ireton, a man full of in-
 vention and industry, who had a little
 knowledge of the law, which led him
 into the more errors. Whitelock, p.
 361.

We have just seen how much the face of affairs was altered, by the great turn on the 6th and 7th of December. CHAR. I. 1648.

The commons were now all independents, openly supported by the army, and their design was to destroy equally, king, monarchy, episcopacy, and presbytery. As for the house of lords, who had used their endeavour, though in vain, to hasten the peace, they saw themselves, since this revolution, obliged to follow the stream, which was too rapid to be opposed. There were in the house but few peers, most of them indeed presbyterians, but too weak, in their present situation, to assert their negative voice, and the rest of their privileges. Whilst the king was able to protect such as applied to him, the lords retained some authority, because they were not without a resource, in case they were disregarded by the commons. But after the battle of Naseby it was not the same. The commons assumed such a superiority, that the lords had no other way to support themselves, but by approving, or feigning to approve, whatever was done by the other house, for fear of producing a breach which must have been fatal to them, since they would not have known what to do. If they were forced to behave in this manner, whilst their own party prevailed in the lower-house, it is no wonder, they did not dare to swerve from this policy, when the independents had gained the advantage. To what purpose would it have been to resist the torrents? we shall see presently, their first opposition to a material point irrecoverably ruined them. They therefore who blame them for a too great compliance with the transactions since the 6th of December 1648, ought to remember, that this is not an occasion, where we are to reason upon the general ideas of the constitution of the parliament, but rather upon the particular idea of the situation the parliament was in at that time.

Observation
on the house
of lords.

Since the independents were masters of the parliament, petitions against the king, multiplied so fast, that scarce a day passed without some one being presented to the commons, especially from the garrisons, which were part of the army. Lambert being returned from Scotland, the regiments under his command failed not to present a petition agreeable to the remonstrance of the army. Somersetshire, where the king had formerly many adherents, distinguished itself on this occasion above all the rest, by presenting a petition, desiring that speedy and effectual justice might be executed upon the chief delinquents, that is, upon the king. The commons were so pleased with such a petition from a whole county, that

Several petitions for justice against the king. Rushworth. VII. p. 1367. 1373, 1374 Id. p. 1369. p. 1372.

CHAR. I. that to encourage the rest to present the like, the petitioners were called in and received the thanks of the house, and the petition with the order of thanks were forthwith printed and published. It does not however appear that the other counties followed this example. Only Norfolk, a few days after, desired by a petition, that the king himself might be brought to impartial justice.

p. 1372.

Committee appointed to draw up a charge against the king.

p. 1370.
Whitelock.

Clarendon,
III. p. 186.

The fleet adheres to the army.

Rushworth,
VII. p. 1370,
Whitelock.

Rushworth,
VII. p. 1375.
T. Herbert.

Stratagem for the king's escape comes to nothing.

Clarendon,
III. p. 190,
191.

Ludlow.

He is brought to Windsor, and from thence to

St. James's.
All ceremonies laid aside with regard to the king.

At length, the 23d of December, the house of commons having resolved, pursuant to the desires of the army, to bring the chief delinquents to a trial, and intending to begin with the king, appointed a committee of thirty-eight to draw up a charge, and for that purpose to receive all informations and examinations of witnesses for the matters of fact against him.

The same day, the fleet under the command of the earl of Warwick sent a declaration to the general, that they concurred with the army in their remonstrance. This did not much redound to the earl of Warwick's honour, who having been one of the presbyterian-leaders, was the first that quitted his party to join with the independents.

The resolution to try the king being taken, (a resolution projected by several officers of the army, when he first retired to the Isle of Wight) colonel Harrison was commanded to remove him from Hurst-castle to Windsor. All the time the king was in the Isle of Wight, he kept a private correspondence with the lord Newburgh. Since his being at Hurst, that lord had found means to acquaint him, he was to be removed to Windsor, and as his house was in the road^r, sent him word, to endeavour to dine with him, and complain of the going of his horse, promising to supply him with one of the fleetest in England, by means of which he might attempt to escape. Accordingly, the king complained all the morning, that his horse was very uneasy, and so artfully managed, that he was conducted to dine with the lord Newburgh. But when his majesty came there, he was quickly told, that the horse so much depended upon, was the day before lamed with a kick. This stratagem failing, the king was conveyed to Windsor, where he was kept till the 19th of January 1648-9, when he was carried to St. James's.

He was no sooner at Windsor, than the council of war ordered all the usual ceremonies to the king to be laid aside, as serving him upon the knee, and the like, and most of his domestics to be dismissed. For though the council of

war

^r The lodge at the king's park at Bagshot.

war had no right to take then upon them, yet they daily in-
croached upon the privileges of the parliament, which acted
entirely by their orders. CHAR. I. 1648.

I have before spoken of the representation of the com-
mon-council of London, concerning the election of the lord-
mayor, and other officers of the city. The house of com-
mons having heard the report of the committee appointed
for that purpose, ordered, that their former ordinance should
be punctually executed, not regarding, that the magistrates
of London should be chosen out of the ablest and most sub-
stantial citizens, provided they were of the reigning party.
They further ordered, that freemen, for the future, should
not be obliged to take the oaths of allegiance and supre-
macy.

Rushworth,
VII. p. 1376,
Whitelock.
Ordinance
touching the
election of
the lord-
mayor, &c.
Whitelock.
Rushworth,
VII. p. 1365,
1369, 1376.

The same day, being the 28th of December, the com-
mittee appointed to consider of drawing up a charge against
the king, reported an ordinance for attainting him of high-
treason, and for trying him by such commissioners as should
be named in the ordinance, which being read the first time,
was ordered to be read again the next morning. But as the
house knew, the ordinance would be approved at the third
reading, they passed an act for erecting a high court of jus-
tice, with power to try the king. The preface to which ex-
traordinary act was as follows :

p. 1376.

“ Whereas it is notorious, That Charles Stuart, the
“ now king of England, not content with those many en-
“ croachments which his predecessors had made upon the
“ people in their rights and freedoms, hath had a wicked
“ design, totally to subvert the ancient and fundamental
“ laws and liberties of this nation, and in their stead to in-
“ troduce an arbitrary and tyrannical government ; and
“ that besides all other evil ways and means to bring this
“ design to pass, he hath prosecuted it with fire and sword,
“ levied and maintained a cruel war in the land against the
“ parliament and kingdom, whereby the country hath been
“ miserably wasted, the public treasure exhausted, trade de-
“ cayed, thousands of people murdered, and infinite other
“ mischiefs committed ; for all which high and treasonable
“ offences, the said Charles Stuart might long since justly
“ have been brought to exemplary and condign punish-
“ ment : whereas also the parliament, well hoping, that
“ the restraint and imprisonment of his person, after it had
“ pleased God to deliver him into their hands, would have
“ quieted the distempers of the kingdom, did forbear to
“ proceed judicially against him ; but found by sad experi-
“ ence,

Preface of
the ordi-
nance for
erecting a
court of
justice.
Id. p. 1379.

CHAR. I. "ence, that such their remissness served only to encourage
 1648. "him and his complices in the continuance of their evil
 "practice, and in raising of new commotions, rebellions,
 "and invasions. For prevention therefore of the like or
 "greater inconveniencies, and to the end no chief officer,
 "or magistrate whatsoever may hereafter presume, traite-
 "rously and maliciously to imagine or contrive, the enslav-
 "ing or destroying of the English nation, and to expect
 "impunity for so doing: be it ordained and enacted, by
 "the commons in parliament, and it is hereby ordained
 "and enacted by the authority thereof, That Thomas
 "lord Fairfax, Oliver Cromwell, Henry Ireton, esquires,
 "Sir Hardress Waller, knight, Philip Skippon, (and a
 "hundred and forty-five others) shall be, and are hereby
 "appointed and required to be commissioners and judges for
 "the hearing, trying, and adjudging of the said Charles
 "Stuart, &c."

1648-9. The ordinance for trial of the king passed in the house of
 The lords commons the second of January, and was sent up the same
 rejects it. day to the lords for their concurrence. Since the sixth of
 Jan. 3. December, the upper house had consisted only of nine peers,
 Rushworth, VII. p. 1382. the rest having absented themselves, that they might not be
 Clarendon, obliged to countenance the outrageous proceedings of the
 III. p. 187. commons. But upon notice that the ordinance would that
 day be sent up to the lords, there came more peers than
 usual, as the earls of Northumberland, Manchester, Rut-
 land, the lords North, Rochford, Maynard, Dacres, in all
 sixteen, and the lord Denbigh speaker. The ordinance be-
 ing read, was unanimously rejected. However, to gain
 time, if possible, the lords agreed to acquaint the commons,
 that they would send answer by messengers of their own;
 and at the same time adjourned for ten days. This artifice
 was fruitless. The commons having ordered the journal of
 the house of lords to be examined, and finding the ordinance

was rejected, voted, "That all members of the house of
 Votes of the commons, commons, and others, appointed to act in any ordinance
 commons, that the con- "wherein the lords were joined, shall be empowered to sit,
 currence of "act, and execute, in the said several committees, of them-
 the lords "selves, notwithstanding the house of peers join not with
 was not "them." And therefore they ordered the names of six
 necessary. Rushworth, lords, who had been appointed for judges, to be left out of
 Rushworth, VII. p. 1382, the commission, and others to be nominated in their room.

Among

* Both houses declared, on Jan. 1. That by the fundamental laws of this realm, it is treason in the king of Eng- land, for the time to come, to levy war

against the parliament and kingdom of England. Rushworth, Tom. VII. 2. 1380.

Among these last was serjeant Bradshaw, who was afterwards chosen president of the high court of justice. Then, 1648-9. the house voted :

" 1. That the people under God, are the original of all just power. Other votes.
Jan. 4.
p. 1383.

" 2. That the commons of England assembled in parliament, being chosen by, and representing the people, have the supreme authority of this nation. Whitelock.

" 3. That whatever is enacted and declared law by the commons of England, assembled in parliament, hath the force of law, and all the people of this nation are included thereby, altho' the consent and concurrence of the king, and house of peers, be not had thereunto."

These principles, tho' directly contrary to the true constitution of the English government, were however very agreeable to those of the independents, whose intention was to turn the monarchy into a republic.

The ordinance for trial of the king, with the amendments that were forced to be made for want of the lords concurrence, passed the house of commons the 6th of January. Rushworth,
VII. p. 1314.
Whitelock.

The following days to the 20th, were employed in preparations for the trial, the like whereof had never yet been seen in the world. I intend not to swell the history with the circumstances of this famous trial. They are to be found in a little book, entitled, '*A true account of the trial of Charles Stuart, &c.*' published at London in 1650, and translated into French, wherein nothing is omitted. I imagine I shall do the reader no injury, to refer him to this book, which is not scarce, and which will inform him of all particulars. I shall content myself therefore with briefly observing, what I think most material in the affair. See State-Trials.
Vol. I.
Most material points in the trial
I. of king Charles,

^c These votes, says Rushworth, being reported to the house, the house put them one after another to the question, and there was not one negative voice to any one of them. Tom. VII. p. 1383.—At this time Mr. Elſynge desired to be dismissed from being clerk of the parliament, because (says Whitelock of his own knowledge) he would have no hand in the business of the king. He was a just and honest man, and a most excellent clerk. Mem. p. 364.—Jan. 6. The committee of estates in Scotland residing in London,

wrote a letter to the commons, desiring they would not proceed to try or execute the king, without the advice of their nation. Rushworth, Tom. VII. p. 1384.

^u John Bradshaw serjeant at law, was president of the court. William Steele, Dr. Dorislaus, and Mr. Aske, were counsellors assistants to draw up the charge against the king. John Coke, solicitor. Serjeant Dandy, serjeant at arms. Mr. Phelps and Mr. Broughton, clerks to the court. Ludlow, Tom. I. p. 275.

CHAR. I. I. The high-court of justice observed the same rules in trying the king, as in judging a common malefactor, there being no precedent of such a trial.

Concerning the charge of his levying war against the parliament.

II. The principal article of the accusation was, that the king had levied war against the parliament, which was undeniable. The sieges and battles were evident proofs of it. But this ought not to have been the principal point. It should have been proved, that he was the beginner and author of the war. For it is manifest, if the war had been only defensive on his part, he was not to be blamed. And yet, in the charge, he was supposed to have put the parliament under a necessity of defending themselves, and this point, which was the chief, not only was not proved, but even not attempted to be so. The depositions of the witnesses tended not to show, that the king had forced the parliament to take up arms, but only that he had been seen sword in hand against the parliament, and giving orders to levy war. The question, which of the two, the king or the parliament, had begun the war, ought to have been fully cleared. But though it had been so to the king's disadvantage, who does not know, that the beginner of a war is not always the aggressor? This was a point of great discussion, and which impartial judges would have found difficult to decide. For if what has been said in the history of this reign be remembered, it will be observed, that though it is evident the king governed in an arbitrary manner for some years, the ground of the war he undertook, was not in maintenance of this arbitrary power. He had fully consented to the annulling of his usurpations. But the ground of the war, on his part, was the defence of the power the king enjoys by the laws of the land. On the parliament's side, the ground of the war was, That in a supposition, the king could not be trusted any more, they would have divested him of the power his legal prerogatives afforded him to return to his former courses, and govern for the future as he had governed before. The king was unwilling to be curbed, and the parliament would set bounds to his power. This was the true ground of the war. It was not therefore easy to determine who was the first author of it. The king refused to give other security for the future than his word; and the parliament pretended to have very strong reasons to suspect the word of a prince, who had so often broke it. To determine on which side justice and reason lay, the king's heart must have been dived into, to know whether he was sincere, or intended to deceive the parliament. On the

the other band, it was necessary to know, whether the directors of the parliament had not some other end than the public good, and whether private interests were not concealed under that pretence. But all these things could be known only to God. And yet, the parliament, being judge and party, supposed, without alledging any proof, that the king was the aggressor and sole author of the war.

III. There are frequent instances in history of king's assassinated by their subjects, in consequence either of the public hatred, or of private revenge, or of the interest of some faction. The English history furnishes, even since the conquest, examples of two kings solemnly deposed and imprisoned. But till Charles I. it no where appears, that any king was ever tried for his life, before his own subjects as judges. I shall say nothing here of other sovereigns, who are possessed of a greater authority over their subjects than the kings of England; for there may be a wide difference between sovereigns in that respect. But confining myself wholly to the kingdom of England, and supposing the constitution of the government such as it was from the conquest to Charles I. I shall briefly set forth what has been said for and against so extraordinary a trial. In the first place, it is demanded, On what law, natural or positive, was founded the right assumed by the parliament of England to try the king? The most plausible answer in vindication of the parliament's proceedings, is as follows.

According to the constitution of the English government, the king is no less bound than the subject, to observe the laws to which himself or predecessors assented, which is the principal clause of the coronation-oath. If this obligation be equal on both sides, there must be therefore equally means to cause them to discharge it, in case they come to neglect it. As for the subject, there is no manner of difficulty. The penalties against offenders are universally known, and the courts of justice are appointed to inflict them. It is true, the laws have ordained no penalty upon the kings who discharge not their duty, as well out of respect to the regal dignity, as because it cannot be supposed, that the king, to whom the execution of the laws is committed, should be the first to break them, and betray the trust lodged in him by the people. He is nevertheless bound to observe them himself, and cause them to be observed by the subject. This is a principle generally acknowledged. But what is this obligation, if the observance of the laws depends solely on his will, and there be no just means to compel him to

CHAR. I.
1648-9.

Of the parliament's making themselves judge of the king.

Reasons for the parliament.

CHAR. I. observe them, or punish them when he breaks them? Will it not be an empty sound without any meaning? And will not the English government be as arbitrary as that of any other country in the world? Since, therefore, the laws have not decreed any penalty against a king that should neglect his duty, or the manner to constrain him to discharge it; and as, nevertheless, he is bound by the same laws to procure the observance thereof, and to observe them himself, the nation's rerepresentative in parliament is of course to call him to an account, since it is not possible to imagine any other way. Supposing the king has violated the most fundamental laws of the realm, shall foreigners be applied to, for to bring him to justice? Can it be supposed, contrary to experience, that the king is under an impossibility of breaking the fundamental laws of the kingdom, of endeavouring to subvert them, and of establishing an arbitrary government? Will it be maintained, that he may do it with impunity? But if he is assured of impunity, what difference is there between the English government and the most despotic, since its preservation will solely depend on the king's probity and will? If he runs no hazard in trying to alter the constitution, after ten attempts, he will try again, even till he succeeds. As to the objection, That less violent means than war may be used to oblige the king to the observance of the laws, and less unjust and extraordinary, than the taking away his life, to punish him for the breach of them; it is answered, This is true, and the parliament had accordingly tried to secure the government by other methods, as by demanding of the king that the power of the militia might be lodged in both houses. If the king had agreed to it, the realm would have been in peace, and the people's jealousies have ceased. But he had taken up arms to prevent the parliament's using these means, a clear evidence that his design was to maintain himself in a condition to alter the government when he should have opportunity. This unjust war had been the occasion of infinite mischiefs, of the death of thousands of his subjects, and the ruin of the rest; and if he was brought to a trial, it was not so much to punish him for violating the laws, as for preferring the unjust and violent way of arms, before the expedients offered him to prevent his breaking them for the future.

Reasons
against the
parliament.

The advocates for the king say, 1. Though the kings of England have not so much authority in their realm as some other kings, it does not follow, that they may be put upon a level

a level with subjects, and made equally accountable for their actions. CHAR. I.
1648-9.

2. The principle laid down for foundation, that there is an equal obligation upon the king and subjects to observe the law, is false, and consequently the whole reasoning founded thereon, of no force. For, private persons being entrusted only with their own conduct, nothing can exempt them from the observance of the laws. But the king being entrusted with the government of the state, and the execution of the laws, he has consequently power to qualify them on certain occasions, otherwise this trust would be to no purpose. The laws could not foresee every thing, and there are occasions where it is absolutely necessary for the public good to act contrary to them, or at least to suspend the observance of them, and therefore the obligation of the king and the subject is not equal.

3. Supposing the king had violated some of the fundamental laws of the kingdom, and levied war against the parliament after the most unjust manner, it did not follow that he might be punished with death, by reason he has neither superior nor equal in the kingdom, and he could have none but subjects for his judges. Besides, he was the fountain of justice, and it was absurd to make him liable to justice, from whom it flows and derives its whole authority.

4. According to this supposition, the chance of war having put him in the power of his enemies, he might have been detained in prison, and prevented from doing mischief, till he was prevailed with to grant all the securities required. But there was a wide difference between imprisonment and death; as the first could be considered as a reasonable and necessary precaution, and the other as a punishment subjects were not impowered to inflict on their sovereign, as indeed the like had never been heard of.

5. But the supposition that the king had violated the laws, and levied unjust war against his parliament, was very far from being well-grounded. In the first place, as to the laws, if the king, misled by evil counsels, had, on some occasions, carried his power too far, when the parliament made him sensible of the ill consequences of this conduct, he had cheerfully and willingly renounced the exorbitant power which he believed himself before to be justly intitled to. He had, without delay, consented to all the acts presented to him on that subject, and agreed that his most intimate counsellors should be brought to justice. The parliament had accepted this reparation, without expressing the

CHAR. I. least desire of causing him to suffer for his past faults. After 1648-9. that, it was absurd to alledge these same faults, so amply repaired, as a motive of the justice pretended to be executed upon him.

6. As for the war he had levied against his parliament, it was wrongfully asserted, and without the least proof, that the king had raised and begun it on purpose to avoid giving his people security. And under colour of desiring security for the future, a desire wholly founded upon mere suspicions and bare possibilities that the king might abuse his power, it was pretended to strip him of all his prerogatives, in a word, of the regal authority, and leave him only a shadow of royalty. Thus, supposing it true that the king had begun the war, which was by no means evinced, it would also be true, that the parliament had excited it, by attempting, under a vain pretence of peace and concord, to reduce the king to the most melancholy state a sovereign can possibly be in.

7. The justice, pretended to be executed upon the king, was founded intirely on two suppositions, supported with no proof. The first, that the king had undertaken the war, only to free himself from giving security. The second, that there was reason to fear he would employ the power that should be left him, in altering the constitution. All reasonable persons were therefore left to judge, whether there was justice in trampling upon all laws divine and human, and inflicting upon their sovereign a capital punishment on two such rash suppositions.

8. As for the plunder, ruin, murder, and other mischiefs occasioned by the war, before they could be charged to the king's account, it ought at least to have been well proved that he was the author of the war. But if this point were fully examined, it would doubtless be found, that the complainners themselves could alone be charged with it.

9. The king was proceeded against for intending to change the government, and make it arbitrary and tyrannical. But every Englishman was convinced, that the government had never been more despotic, more tyrannical, and more arbitrary than since the meeting of this parliament. There was scarce a law but what had been violated. The two houses had, for several years, usurped the supreme authority contrary to the known laws. And lately the commons had voted, that all power was lodged in them, without the concurrence of king and peers, a maxim unknown to the English from the foundation of the monarchy.

10. The commons in establishing, by a bare vote, that it belonged to them alone to try the king, had plainly declared, they owned neither superior nor equal, which was really introducing an arbitrary government. CHAR. I.
1648-9.

11. Lastly, till 1643, the parliament had only suspected the king's intention to alter the government, but after the parliament had assumed the direction, the government was really and truly changed. The king was moreover suspected of designing to alter the established religion: but the parliament had indeed changed it, and reduced it to a deplorable confusion, and the project of this unfortunate change had been the true cause of the war, and of all the subsequent calamities.

IV. The fourth circumstance I intend to observe, is, that the king was brought three times before the high court of justice, and as often called upon to answer the charge entered against him, which was read in his hearing. But he constantly refused to own the authority of the court, and of those who erected it. On the other hand, the court would never hear his reasons for declining their jurisdiction. They always took for granted, that the authority by which the court was established, was sufficient; which was the very thing the king would have combated, but was never suffered. At last, seeing he could not prevail to be heard on that subject, he left his reasons in writing to this effect:

"That no earthly power could justly call him (who was their king) in question as a delinquent. His reasons
for it.

"That there were no proceedings just against any man but what were warranted, either by God's laws, or the municipal laws of the country where he lives. As for the proceedings against him, they could not be warranted by God's laws. For on the contrary, it is there said, *where the word of a king is, there is power; and who may say unto them, what dost thou?* Eccles. viii. 4. Then for the law of the land, no impeachment can lie against the king, they all going in his name: and one of their maxims is, *That the king can do no wrong.* Besides, the law upon which they grounded their proceedings, must either be old or new: if old, they ought to shew it; if new, they should tell what authority, warranted by the fundamental laws of the land, had made it, and when. Rushworth,
VII. p. 1403.

"How the house of commons could erect a court of judicature, which was never one itself, he left to God and the world to judge.

CHAR. I. "And it was full as strange, that they should pretend to
 1648-9. "make laws without king, or lords house, to any that had
 "heard speak of the laws of England. And admitting,
 "that the people of England's commission could grant their
 "pretended power, he saw nothing they could shew for
 "that; for certainly they never asked the question of the
 "tenth man in the kingdom.

"That having concluded, as much as in him lay, a
 "treaty at Newport, and expecting the house's agreement
 "thereunto, he was suddenly surpris'd and hurried from
 "thence as a prisoner; that the higher house, for any thing
 "he could see, was totally excluded; and for the house
 "of commons it was too well known, that the major part
 "of them were detained or deterred from sitting: so as if he
 "had no other, this would have been a sufficient reason
 "for him to protest against the lawfulness of their pretended
 "court.

"That the arms he took up, were only to defend the
 "fundamental laws of the kingdom, against those who had
 "supposed his power had totally changed the ancient go-
 "vernment &c."

Remarkable
 depositions
 against the
 king.
 Rushworth,
 VII. p. 1406.

V. Of all the witnesses, as I said, examined against the
 king², there was not one which proved the king to be
 author of the war. But among the depositions, there were
 two which must not pass unobserved, supposing they were
 neither forged nor altered. The first shows, the king was
 much less incensed against the independents than against the
 presbyterians, though afterwards he had but too much cause
 to perceive, that the principles of the former, were more
 destructive to him, than those of the latter. The second
 seems to prove, that the king did not act with sincerity,
 even in the treaty of Newport.

p. 1414.

Richard Price a scrivener of London deposed, that the
 committee of safety being informed, that the king was pri-
 vately negotiating with the independents, sent the deponent
 to Oxford, under colour of carrying proposals to the king,
 from the independents: that he was introduced to the king
 by the earl of Bristol, and received orders to say to the lead-
 ing independents, from his majesty, that if they would take
 his part against the parliament, he would grant them what-
 ever freedom they desired.

The

² This, says the king, I intended
 to speak in Westminster-hall, on Mon-
 day, Jan. 22, but against reason was
 hindered to show my reason.

² See their names at length in

Echard's Hist. Tom. II. p. 633, and
 their depositions in Rushworth, Tom.
 VII. p. 1406, &c. and in State-
 trials, Tom. I.

The second deposition was of Henry Gooche of Grey's-
 Inn, who said : " That on the 30th of September last, 1648-9.
 " having access to, and discourse with, the king at New-
 " port, he told him, that since his majesty had justified
 " the parliament's taking up arms, by consenting to the
 " preface of the bill, he did not question, but most of the
 " presbyterian-party, both soldiers and others, would stick
 " close to him." To which the king answered, " That
 " he would have all his old friends know, that though for
 " the present he was contented to give the parliament leave
 " to call their own war what they pleased, yet that he nei-
 " ther did then, nor ever should decline the justice of his
 " own cause." Moreover, upon the deponent's saying,
 " That his business was much retarded through want of
 " commissions." The king made answer, " That being
 " upon a treaty he would not dishonour himself, but if the
 " deponent would go over to the prince his son, (who had
 " full authority from him,) he, or any for him, should re-
 " ceive whatever commissions should be desired." That,
 besides, he expressed much joy, that his good subjects would
 engage themselves for his restoration.

The king refusing to answer before the high-court of
 justice, his refusal was taken, according to the laws of Eng-
 land, for a confession, and sentence of death was passed upon
 him the 27th of January ¹. A little before his sentence was
 pronounced, he earnestly desired to be heard before the two
 houses, saying, he had something of great importance, to
 offer them. But his desire was rejected. It is generally
 believed, he intended to propose to the parliament, that he
 would abdicate the crown in favour of his eldest son.

The sentence was executed the 30th of January 1648-9,
 on a scaffold erected in the street at the windows of the
 Banqueting-house at Whitehall ². The king suffered death
 with

Sentence is
 pronounced
 upon him,
 and he is
 refused to
 be heard.
 Rushworth,
 VII. p. 1418.
 Welwood.
 Ludlow.

He is exe-
 cuted.
 Rushworth,
 VII. p. 1423.

¹ The names of those who were
 present, and gave their assent to the
 sentence, were as follows : Bradshaw,
 president ; Life, Say, Cromwell, Ire-
 ton, Hardress Waller, Bouchier, Ho-
 veningham, Pennington, Martin, Pure-
 foy, Barkstead, Thomlinson, Blackstone,
 Millington, Constable, Ludlow, Hatch-
 ington, Livesey, Tichbourn, Roe, Lil-
 bourn, Smith, Edwards, Clement, Wo-
 gan, Norton, Harvey, Venn, Scot, An-
 drews, Fleetwood, Mayne, J. Temple,
 Scroope, Dean, Okey, Hewson, Goffe,
 Holland, Carew, Jones, Corbet, Allen,

Pelham, Blagrove, Walton, Harrison,
 Whalley, Pride, Ewer, Grey of Groby,
 Danvers, Maleverer, Moore, Alured,
 Cawley, Stapley, Downs, Horton, Ham-
 mond, Love, Potter, Garland, Dixwell,
 P. Temple, Waite.—All these likewise
 (except those whose names are printed in
italic characters) with Ingoldsby and
 Chaloner, signed the warrant for the
 king's execution. Rushworth, Tom.
 VII. p. 1416, 1426. See an account
 of them in Heath, p. 196, &c.

² Two men in disguises and vizors,
 stood upon the scaffold for executioners.
 Whitelock,

CHAR. I. easy to perceive, this charge is founded on the supposition
 1648-9. of his having been author of a war wherein so much blood
 was spilt.

Sincerity, as appears in his history, was not his favourite virtue. He made frequent use of mental reservations, concealed in ambiguous terms and general expressions, of which he reserved the explication at a proper time and place. For this reason, the parliament could never confide in his promises, wherein there was always either some ambiguous term, or some restriction that rendered them useless. This may be said to be one of the principal causes of his ruin, because giving thereby occasion of distrust, it was not possible to find any expedient for a peace with the parliament. He was thought to act with so little sincerity in his engagements, that it was believed there was no dependence on his word. The parliament could not even resolve to debate on the king's propositions, so convinced were they of his ability to hide his real intentions under ambiguous expressions. But they sent their own propositions to the king, with the liberty only of saying *content*, or *not content*, so apprehensive were they of his explications. But as I may be accused of loading the king too much upon the point of sincerity, I think it incumbent on me, to justify what I have said, by an unexceptionable evidence. I mean the earl of Clarendon.

Clarendon,
 III. p. 335.

' A law enacted by violence and force, (says that illustrious historian) is not rightfully enacted, was one of those positions of Aristotle, which hath never since been contradicted, and was an advantage, that being well managed, and stoutly insisted upon, would, in spite of all their machinations have brought his majesty's enemies to a temper of being treated with. But I have some cause to believe, that even this argument which was unanswerable for the rejecting the bill [for taking away the bishops votes] was applied for the confirming it; and an opinion, that the violence and force used in procuring it, rendered it absolutely invalid and void, made the confirmation of it less considered, as not being of strength to make that all good, which was in itself null. And I doubt this logic had an influence upon other acts of no less moment than these.'

Let the reader judge after this, if we may boast of king Charles's sincerity, since even in passing acts of parliament, which is the most authentic and solemn promise a king of England can make, he gave his assent, merely in an opinion, that they were void in themselves, and consequently he was not bound by this engagement. I pass over in silence the manifest breach of the petition of right, perhaps upon

upon the same principle. and of his many assurances to his CHAR. I.
parliament of his intention to maintain their privileges, 1648-9.
which he violated within a few days, because these things }
have been sufficiently spoken of in the history of his reign.

Some accuse him of an inclination for the Roman catholic religion; nay, there are who carry this charge so far as to say, he intended to restore it in England. These imputations are groundless. But it cannot be denied, that he gave occasion for them by his conduct, though contrary to his intention. During the first fifteen years of his reign, the Roman catholics were not only screened from the rigour of the law, but even encouraged and countenanced to such a degree, that he made them privy-counsellors, secretaries of state, and lords-lieutenants of counties. Two things induced him to this condescension. The first, the queen's importunities. who was extremely zealous for her religion. The second, his project to render himself absolute, for the execution of which, he believed the assistance of the catholics, as well English as foreigners, to be necessary. But I will not affirm, that the queen, and some of the ministry had not formed, with regard to religion, more extensive projects, which they did not think proper to impart to the king. The assistance of the catholics, whom the king had managed for another occasion, became necessary for his own defence, after his breach with the parliament. How unwilling soever he seemed to receive any aid from the papists, it is certain, many were entertained in his service, and that he was privately assisted by the catholics on sundry important occasions.

Though it cannot be proved that he excited the Irish rebellion, it may however be affirmed, it was not against him that the Irish took up arms, since they never had less cause to complain than in this and the late reign. Besides, the papists, both Irish and English, always looked upon this prince as their protector, and were ever ready to assist him. Had he succeeded in his designs, very likely, the condition of the catholics in England and Ireland, would have been much more happy, and the penal laws in great measure repealed. But it does not follow, that the king himself had any inclination to popery, or intended to establish the Romish religion. In short, that he was a sincere member of the church of England, can hardly be doubted, since he affirmed it on the scaffold, at a time when it could be of no service to him to dissemble his belief.

Many

CHAR. I. Many people give him the surname of *martyr*, pretending, 1648-9. he suffered death in maintenance of the truth of the protestant religion against the presbyterians and independents, and call the day of his death, which is solemnized yearly on the 30th of January, the day of his martyrdom. But in the first place, there was too great a complication of causes which brought him to this tragical end, to ascribe his death solely to religion. 2. Though it were true that religion was the sole cause of his death, it would not be universally agreed that he died for defending the truth of the protestant religion, since, among protestants, the English alone, or rather a great part of the English, hold episcopacy to be a doctrine of faith. 3. Though dying for episcopacy were really martyrdom, the king in his last proposals at Newport, agreed to reduce episcopacy to a very small matter. 4. Had he been condemned by the presbyterians, he might in some manner be said to suffer for episcopacy. But it is evident the presbyterians had no share in this sentence, nor ever thought of bringing him to a trial. The independents were the men that condemned and executed him, and surely, it was not on any religious account, but to turn the monarchy into a republic. 5. If the scrivener's evidence be true, king Charles cannot be said to suffer death for supporting religion against the independents, since, according to the deposition, he offered to grant them all the freedom they should desire, if they would but take his part. However this be, the church of England having recovered, in the reign of Charles II. the advantage she had lost in that of Charles I. appointed the day of his death to be kept every year with fasting and humiliation, which has caused some to give him the glorious title of martyr.

To conclude, Charles I. was endued with many virtues and noble qualities. There is even room to believe, that his failings flowed intirely from his design to enslave England, and if, on some occasions, he followed not exactly the rules of sincerity, it was only the more easily to execute what he had undertaken. Without this unfortunate project, he might be reckoned one of the most accomplished princes that ever has been on the English throne. The duke

c D. Welwood mentions these particulars, in his character of king Charles, not taken notice of by Rapin. "He was a prince of a comely presence, of a sweet, grave, but melancholy aspect. His face was regular, handsome, and well com-

plexioned; his body strong, healthy, and well-made; and though of a low stature, was capable to endure the greatest fatigues. He had a good taste of learning, and a more than ordinary skill in the liberal arts, especially painting, sculpture, architecture,

duke of Buckingham, the earl of Strafford, archbishop Laud, and the queen herself used to a very different government from that of England, were the persons that ruined this unhappy prince, whom they so passionately desired to raise higher than his predecessors. But who can forbear making a very natural reflection on this subject? I mean, upon the punishment of those evil counsellors, and of the king himself. The duke of Buckingham lost his life by the hands of an assassin; Laud, Strafford, and the king himself died on the scaffold, and the queen spent the residue of her days in a melancholy widowhood, being even slighted by her nearest relations. She lived however long enough to see the prince her son's restoration, but found not in him, all the satisfaction she expected, which doubtless was the cause of her return to France, where she died in the year 1669.

" architecture, and medals; he acquired the noblest collection of any prince in his time, and more than all the kings of England before him. He spoke several languages very well, and with a singular good grace;

" though now and then, when he was warm in discourse, he was inclinable to stammer. He writ a tolerable hand for a king, but his sense was strong, and his stile laconic." Mem. p. 68, &c.

By an indenture in the 2d year of king Charles I. a pound weight of gold, of the old standard, of twenty three carats, three grains and a half fine, and half a grain alloy, was coined into 44 l. 10 s. by tale; namely, into rose-rials at 30 s. a piece; spur-rials at 15 s. a piece, and angels at 10 s. a piece. And a pound weight of crown gold, of twenty-two carats fine, and two carats alloy, into 41 l. by tale; namely, into unites at 20 s. Double crowns at 10 s. or British crowns at 5 s. a piece. And a pound of silver of the old standard, of eleven ounces, two-penny weight fine, into sixty-two shillings by tale; namely, into crowns, half-crowns, shillings, half-shillings, two-pences, pence, and half-pence.

The gold coins of this king (as appears by the indenture above) are Rose-rials, Spur-rials, Angels, Unites, Double and British crowns. The Rose-rial has, on one side, the king's figure in wrought armour, crowned, and holding in his right-hand the scepter, resting upon his shoulder; and in his left-hand the ball, CAROLUS. D. G. MAG. BRITAN. FRAN.

ET. HIB. REX. Reverse, under a crown, the arms quartered, Scotland in the first and fourth quarter, between C. R. crowned, HIS. PRÆSVM. VT. PROSIM. struck, probably, when the king was in Scotland, and weighing six penny weights, eight grains, and a quarter, (Fig. 1.) The Spur-rial, weighing just half the other, exhibits the king's head crowned, looking the contrary way, and extending to the edge, CAR. D. G. MAG. BRIT. FRAN. ET. HIB. REX. Reverse, the arms, as before, VNITA TVEMVR. The Unite has XX. behind the king's head crowned in ruff, CAROLVS. D. G. MAG. BRIT. FRA. ET. HIB. REX. Reverse, arms in a square shield crowned, CULTORES. SVI. DEVS. PROTEGIT. Another, with the falling band, has a sun for the mint-mark, and reverse, the arms in an oval shield crowned, C. R. FLORENT. CONCORDIA. REGNA.—The silver coins of this king are Crowns, Half-crowns, Shillings, Six-pences, Two-pences, Pence, and Half-pence, As also ten and twenty Shilling-pieces,

CHAR. I. pieces, peculiar to this king, which have his figure on horse-back. The **Crown-piece** has the king on horse-back, with his sword in his hand, **CAROLVS. D. G. MAG. BRITA. FRAN. ET. HIBER. REX.** Reverse, between C. R. the arms in an oval shield crowned, **CHRISTO. AVSPICE. REGNO.** Another has on one side a plain cross, on the other V. with a above it. The Half-crowns are various; some with the arms in an oval, some in a square shield. They have for mint-marks, a lion passant, and in some gardant, anchor, harp, Fleur-de-lis, &c. The Newark half-crown, in form of a lozenge, has C. R. on each side of a crown, and XXX. below. Reverse, **OBS. NEWARK. 1646.** (There is also a Newark shilling, exactly in the same form, and with the same inscription; only it has XII. instead of XXX.) (Fig. 6.) The Pontefract half-crown is in the same form as that of Newark: On one side C. R. crowned, **DUM. SPIRO. SPERO.** Reverse, the castle, and a hand out of one of the towers, holding a drawn sword, **OBS. P. C. 1648.** (The Pontefract shilling wants the sword and hand, and has XII. instead of XXX. but in other respects it is like the half-crown.) (Fig. 5.) There is also a three-shilling piece, coined at the siege of Carlisle, having C. R. and III. below: Reverse,

OBS. CARL. 1645. Of the shillings some have the king's head crowned with the ruff, and XII. behind the head: Reverse, the arms, and **CHRISTO AVSPICE REGNO**, a cross the mint-mark. (Fig. 2.) Another is with a falling band, (Fig. 3.) One has 1637, and **ARCHETYPUS. MONETÆ. ARGENTÆ. ANGLIÆ.** The Carlisle shilling, which is an Octagone, has a crown with C. R. XII. Reverse, **OBS. CARL. 1645.** The Six-pences are strictly like the shilling, only have VI. instead of XII. The Carlisle six-pence, has C. R. crowned, Reverse, VI. 2. The Carlisle groat, is Octagone, and has on the reverse III. (Fig. 7.) The Threepence has the king's head, title, and arms, as the larger pieces, **CHRISTO. AVSPICE. REGNO.** One has the Offrich-feathers, (because made of Welch-silver) with this motto **EX-VROAT. DEVS. DISSIPENTVR. INIMICI.** In the field, **RELIG. PRO. LEG. ANO. LIBER. PAR. 1645.** (Fig. 4.) The Two-pence has II. behind the king's head, with title and arms as the three-pence, legend **IVSTITIA. THRONVM. FIRMAT.** One has the king in ruff, bareheaded, **CAR. D. G. MAG. BRIT. FRAN. ET. HIB. REX.** Reverse, two C's, interlinked under a crown, **FIDEI DEFENSOR**, (Fig. 8.) The penny has I. behind the king's head.



1



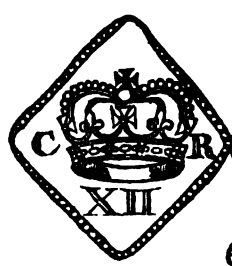
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